



Study Report for

A Proposed Standish Road Neighborhood Conservation District

August 2015



Presented to:
Wellesley Historical Commission
Wellesley Planning Board



Study Committee:
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Helen Robertson, Vice-Chair
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Members of the Study Committee

The Standish Road Neighborhood Conservation District Study Committee consists of the following members. They were appointed by the Historical Commission in accordance with Article 46A of the Wellesley Town Bylaws and chosen because their combined skillset would facilitate the production of a comprehensive and analytical study report.

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22 Standish Road

- Realtor in Wellesley for 25 years
- Vice Chair, Planning Board; former member on the Advisory Committee
- Town Meeting Member
- AB in English & American Literature and Art History, Brown University
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- Architect with independent practice
- Member of Historical Commission, Denton Road NCD Commission, and Design Review Board
- Town Meeting Member
- BA in Religion, Wellesley College
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- Retired History Teacher, Wellesley High School (1962 – 1998)
- Former Town Meeting Member
- BA in History, Boston University
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- BA/BS in Statistics, Business & Economics, University of Miami
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Introduction

What's the Issue Here?

In the summer of 2014, two houses in the Standish Road area – 15 Dudley Road and 14 Winslow Road – were torn down and replaced with speculative new construction. The two new houses are significantly larger than what had been there, but more importantly, they dwarf the neighboring properties. Furthermore, many residents felt they were out-of-character with the other homes in the neighborhood.

So what exactly is character and why does neighborhood character matter? Simply put, character is the “feel” or “appearance” of a neighborhood, a neighborhood being just a collection of homes. The character is derived from the architecture of the houses, their siting, and the way they complement each other in scale and appearance. For example, consider the Standish Road area and the Poets section of Wellesley. Both have the same zoning requirements, allowing someone to build the exact same house in each neighborhood. However, if you walk through both neighborhoods, you get a sense of how different they are. That's character.

Character is important because it creates appeal for a neighborhood. Not all neighborhoods have a definitive character. The Standish Road area, however, is one of the neighborhoods in Wellesley that does. Many visitors instantly recognize this. Many of the current residents had the same impression when they first came here.

The existing character of this neighborhood originates with its development over 75 years ago. Maurice Dunlavy, who built most of the homes, laid out the streets and – most importantly – made sure that the houses were scaled, sized and sited appropriately. Each one related to the one next door, confirming the popular adage that the whole is greater than the sum of its parts. Furthermore, many of the homes Dunlavy built came from architectural plans by Royal Barry Wills, whose designs are timeless in their appearance and appeal. (See Appendix B for information about Royal Barry Wills and Appendix C for maps of the subdivisions within the neighborhood and the location of Wills' houses within the Standish Road area.)

Most speculative new construction does not take into consideration how its architectural design fits within a neighborhood. Many of the architectural elements of these new houses are out-of-scale with the surrounding homes. Furthermore, as we have seen in our neighborhood, the way a new house sits on the lot (its “siting”) is at odds with the way the neighborhood was developed. It is for these reasons – the sheer size and lack of integration of speculative new construction with the surrounding homes – that the existing character of a neighborhood is destroyed. Attention is drawn away from the neighborhood and, instead, focuses solely on the out-of-place house.

The Issue of Teardowns & New Construction

The Study Committee understands that the issue of teardowns and new construction can be polarizing. It has been a topic of conversation for the last decade in neighborhoods throughout Wellesley, as well as across Massachusetts and the entire nation. Within discussions on this issue, there is often not any middle ground in finding a solution. Some people like the new construction. Others don't because they feel it destroys the existing character that gives the Standish Road area such strong appeal. Furthermore, among those who view out-of-scale new construction as a problem, some people believe that the area residents can take care of it on their own. Others believe that this approach is inadequate. (See page 7 for an expanded discussion of the alternatives.)

As more out-of-scale new construction is built, the division between those who like it and those who don't could intensify. This has been observed over the years in neighborhoods both in Wellesley and any community nationwide that is dealing with the issue of teardowns and new construction.

Neighborhood Conservation Districts

There is one solution to this problem that seeks to find middle ground: a Neighborhood Conservation District (NCD). It allows those residents who view the teardowns and out-of-character new construction as detrimental and who want to help preserve the character of the neighborhood to opt into the NCD. Yet, it also allows those who either don't view the new construction as a problem or wish to retain their right to construct whatever they want on their property to opt out .

Organization of the Study Report

The study report is divided into three sections:

1. What is a Neighborhood Conservation District and why is it the best method to preserve the character of the neighborhood without lowering the value of a property?
2. How does a Neighborhood Conservation District work? What is the process associated with construction projects for properties that opt in?
3. Recommendations of the Study Committee

Section 1: What is an NCD? Are There Other Options?

Neighborhood Conservation Districts

A Neighborhood Conservation District (NCD) is not a homeowners association. It is similar to an historic district with two key differences:

1. An NCD does not necessarily aim to preserve the houses but rather their character (i.e., tearing down a house is permitted within an NCD, but rarely within an historic district).
2. The Commission that considers construction projects that require approval consists primarily of qualified residents of the district rather than preservationist-type architects.

A district should not be confused with a neighborhood. A district is just a political construct. It can consist of a few houses or thousands of properties or anything in between. It can be a streetscape or an entire section of town.

The sole purpose of an NCD is to allow for growth and change for the properties within the district while maintaining the district's existing character.

How an NCD works will be discussed in Section 2.

Alternatives to NCDs (and Why They Don't Work)

The Study Committee considered whether there were alternatives that could address the divisive problem caused by teardowns and out-of-scale new construction. In particular, four alternatives were examined:

1. Deed restrictions
2. Just don't sell to a builder
3. Modify Large House Review (Zoning Bylaw XVI D)
4. Rely on protections already in place (Wetlands, Non-conforming Lots)

Deed restrictions

Deed restrictions are specific restrictions, easements, covenants or conditions that are placed on a property to control its development. By and large, they are primarily put in place for one of two reasons: to establish a homeowners association at the time a subdivision is created or to preserve historic properties. For our purposes, the first use of deed restrictions is not applicable. The second use, while preserving the existing character of properties, would impede change and freeze things in time. Because this would inhibit growth, deed restrictions of this kind are viewed as encumbrances and act to decrease property value.

Furthermore, the second use of a deed restriction is not practical. Putting any addition on a house that is on a property subject to a deed restriction prohibiting change would be impossible. Suppose that a deed restriction permitted some changes. Who would determine whether the proposed changes were in keeping with the character of the neighborhood? What would the process be? What guidelines or standards would be used? Such a process would be inherently complicated and unenforceable.

Just don't sell to a builder

If only it were this easy. You can't always predict the intent of the buyer. For example, many builders use straw buyers who front for them. Furthermore, even the intent of legitimate homebuyers can change. There are numerous examples in Wellesley where the new owner decided to tear down and rebuild his or her house in a way that is inconsistent with the character of the surrounding houses. There would be nothing in place to prevent this from happening.

Modify Large House Review

In 2007, the Town of Wellesley adopted Large House Review (Zoning Bylaw XVI D) in order to control the increasing trend in new construction that seemed out-of-scale with surrounding homes. Based on the views of many residents that the two new houses at 15 Dudley Road and 14 Winslow Road are oversized – despite the fact that both were below the square footage thresholds that would trigger Large House Review – the bylaw obviously does not have the effect that it was intended to have.

Modifying Large House Review would require town-wide motivation, determination and effort. Because Wellesley's 2007-2017 Comprehensive Plan strongly encourages and recommends local initiatives – including the establishment of Neighborhood Conservation Districts rather than changing town-wide Zoning Bylaws – modifying Large House Review would be difficult.

Furthermore, and most significantly, modifying Large House Review would not address preserving neighborhood character. Character cannot be defined only by considering square footage thresholds.

Rely on existing protections in place

There are two types of properties within the Standish Road area that are somewhat protected from out-of-scale development:

- Lots that are non-conforming (i.e., the lot size is less than the 15,000 square feet required in this area of the town)
- Lots that contain wetlands or are within the buffer zone of wetlands

These properties require review by a Town board prior to obtaining a permit from the Building Department.

Non-conforming lots: Among the 83 properties in the Standish Road area that were canvassed to determine interest for an NCD, 32 properties are undersized or non-conforming. (See Appendix C.) Building on these properties requires a special permit from the Zoning Board of Appeals (ZBA). Within this process, the ZBA reviews the plans for the proposed construction to make sure that it conforms to dimensional requirements like height, size, and setbacks before it considers whether the construction will be “detrimental” to the neighborhood. Neighbors can voice their concerns at a public hearing, but the decision on granting the permit ultimately belongs to the ZBA.

In 2014, a developer purchased 14 Brewster Road (the smallest non-conforming lot in the neighborhood) and sought a special permit from the ZBA to demolish the existing house and build a much larger one. Many residents felt that the proposed new house was too large and out-of-character with the surrounding homes. Several of these residents organized a petition asking the ZBA to deny the special permit. In addition, they spent hours building a three-dimensional model of the Brewster Road streetscape showing the effect of the proposed house in relation to the surrounding homes. Because of these efforts, the developer withdrew his application before a determination was made.

This success was only temporary. Two months later, the developer submitted a revised plan, but many residents felt the newly proposed house was still too big and not in character with the surrounding homes. The same people who organized and created the first petition/model had to redo their efforts a second time. Again, because of this, the developer withdrew his application. The future of this property is still in question.

Without an NCD, these efforts would need to be repeated every time someone proposed to build a house that was inappropriate in its size and character on a non-conforming lot.

Wetlands: Among the 83 properties in the Standish Road area that were first canvassed, only 16 contain wetlands or are located within a buffer zone that would prevent construction on the lot without getting a permit from the Wetlands Protection Committee. (See Appendix C.) The Wetlands review process, however, only considers foundation size, lot coverage, and landscaping. It does not review the mass, scale, and character of the building or how it relates to the surrounding homes.

Financial Impact of NCDs

Overview and the History of Property Restrictions

The financial effect of restrictions and regulations is one of the most misunderstood subjects out there. Most people believe that restrictions placed on any object or service will reduce its value. Yes, there certainly are things that decrease in value if restrictions apply. Consider cell phone plans. The more restrictions there are, such as limits on the number of text messages or data upload speeds, the less someone will pay for the plan. Real estate, however, is different.

Historically, in most suburban communities throughout the nation, properties with restrictions actually were worth more than properties that had none. This was true in Wellesley. Between 1880 and 1920 – when much of Wellesley was initially developed – approximately 90% of the houses were built according to restrictions that had been placed on the properties.

These restrictions varied greatly. Some were simple, like you had to build a house that cost at least a certain amount of money or it had to be located a certain distance from the street or you couldn't have a cow or fowl on your property. Other restrictions were far more complex, like having to build a house that looks exactly like your neighbor's house.¹

If you examine how these properties that had restrictions are distributed throughout Wellesley, you will notice that the more restrictive properties are located within what were and still are the premier areas of the town. This includes the Belvedere Estates (Abbott Road), the Cliff Estates, Wellesley Farms, the Poets area, and Dana Hall. People were paying premiums to live in these areas, more than anywhere else in town. Interestingly, the Standish Road subdivision had restrictions. Specifically, if a builder other than Maurice Dunlavy wanted to construct a house, the plans had to be approved by Dunlavy.

The purpose of these restrictions was to guarantee the stability and desirability of the neighborhoods. These developers recognized that the whole was greater than the sum of its parts, in that the neighborhoods were more important than each individual home. This way of developing neighborhoods was used in Newton, Brookline, Cambridge, and other communities with exclusive areas.

This is still true today. Restrictions and regulations, such as those that apply to historic districts and Neighborhood Conservation Districts, are associated with higher property values. The Study Committee found this to be true at three different levels: locally in Wellesley, statewide, and throughout the nation. Each is summarized below.

¹ This information comes from the Wellesley Historical Commission, which has done complete research on more or less every single property built in Wellesley between 1880 and 1920.

What Data and Variables Should or Shouldn't Be Considered

The Study Committee examined the financial impact that historic designations have on the value of properties within a district. It looked at both Neighborhood Conservation Districts and historic districts. This is because both are forms of historic designation. Some NCDs are similar to traditional historic districts that focus on architectural preservation. Other NCDs are much less restrictive, but are not dissimilar from historic districts that have more relaxed regulations. (The proposed Standish Road NCD falls within this second category of NCDs.)

The first question was to consider what data to look at. There are three possible categories of data: town assessments, online estimates of value (Zillow, Trulia, etc.), and sales information.

Town assessments. Town assessments are determined using a formula by the Assessor's Department for the sole purpose of collecting tax revenue.

Most people confuse the assessed value of a property with its actual market value. Although assessments are determined in part by studying recent real estate transactions, their relationship to market value is limited.

First, the formula that is used cannot begin to capture all of the complexities of the real estate market. But more importantly, not all properties in town are fully reassessed by the Assessor's Department each year. Therefore, the changes observed in a property's assessment from year to year (or even over the course of five or more years) may have little to do with the trends in a property's actual market value. Instead, these observed changes may just reflect the variability of how the town distributes its property tax levy.

It is for these reasons that properties within Wellesley that sell for similar prices frequently have wildly different assessments.

Assessments therefore are only a rough estimate of property value and provide limited insight into what a house is worth.

Online estimates of value. Similar to assessments, online property valuations – from such websites as Zillow, Trulia, and Realtor.com – should not be considered.

These estimates are determined using undisclosed formulas and don't take into account variables like property condition. Furthermore, these websites can give significantly different estimates of a property's value. Which one is right?

Additionally, how can you trust a website like Zillow or Trulia where someone can log on easily and change any property's value by editing that house's specifications, such as number of bedrooms, square footage, year built (or remodeled)? After all,

there is no proof of identification when setting up an account other than confirming the correct owner's name.

Sales information. The data that is most appropriate to use when calculating the value of any property is sales information because, ultimately, the only thing that matters is what someone will pay you for your house.

There are several measurable variables associated with house sales. Some of them are not relevant for our purposes. The two best variables – that are used by real estate analysts to measure the demand for properties – are the number of days on market (i.e., how quickly a house sells) and the ratio of the sales price to the final list price (i.e., what percentage of the final list price a house sells for).²

The use of days on market is relatively easy to understand. If a property sells in only a few days, it must have been in demand. This is because few sellers accept offers quickly unless those offers are close to or above market value.

The second variable – the sales price as a percentage of the final list price – requires some explanation. You can't just look at sales price itself. You have to look at this percentage because absolute numbers can be misleading.

Consider this simple example to understand why percentages matter. There are two baseball players. Player A has 180 hits and Player B has 120 hits. You would think that Player A is better than Player B, right? But what if you learned that Player A had 600 at-bats and Player B had only 300 at-bats? Therefore, Player A batted only .300 while Player B batted .400. So according to the percentages, Player B is actually better than Player A.

That's the reason why we look at the sales price as a percentage of the final list price. If houses that are in a district sell for 98% of their final listing price, and houses town-wide sell for 95% of their final listing price, then one can hypothesize that being within the district has added value to those properties. The proof is that this reality is observed in district after district in town after town.

Presentation of Findings

The information below describes the relationship between historic designation (such as through the establishment of an historic district or a Neighborhood Conservation District) and property values. It is divided into three sections: Wellesley, the Commonwealth of Massachusetts, and the nation.

² Note the use of final list price as opposed to original list price. The reason for this is to account for the fact that you can list a property at whatever price you want when it first comes on the market. If it is too high above the property's actual market value, then it won't sell. Most often, the response then is to lower the list price until it reaches a point closer to its market value.

NCDs and Historic Districts in Wellesley. There are two districts within Wellesley that have historic designations that carry some form of restrictions: the Denton Road Neighborhood Conservation District and the Cottage Street Historic District.

The table below shows how the sales of properties within the Denton Road NCD and the Cottage Street Historic District from 2008³ – 2014 compare to town-wide statistics.

<i>Sales Information from 2008 - 2014</i>		
NCD/HD	<u>Sales price*</u> Final list price	Days on market*
Denton Road NCD (3 sales ⁴)	101.9%	18
Town-wide ⁵ :	94.9%	51
<i>Difference:</i>	<i>7.0% higher</i>	<i>33 fewer days</i>
Cottage Street HD (11 sales ⁶)	98.3%	20
Town-wide:	94.9%	51
<i>Difference:</i>	<i>3.4% higher</i>	<i>31 fewer days</i>
*Median		

For both the Denton Road NCD and the Cottage Street Historic District, properties within each district sold faster and at a higher percentage of their final list price than properties town-wide.⁷

NCDs and Historic Districts in the Commonwealth of Massachusetts. To further understand the effect of historic designation on property values, the Study Committee examined sales information within five districts in Massachusetts. Three were NCDs and two were historic districts. These districts were chosen because they were the most comparable to Wellesley in their residential character.

³ 2008 was selected because it is the year the Denton Road NCD was established.

⁴ Obviously, three sales is not a large sample size. However, the results for the Denton Road NCD are supported by the analysis of other historic districts and NCDs in the Commonwealth and the nation; that is, properties sell faster and at a higher percentage of their final list price. Furthermore, in 2015, there has been one more sale to date in the Denton Road NCD. This property sold at 104.6% of its final list price in 24 days on market.

⁵ All town-wide or city-wide statistics include only “non-new construction”, i.e. houses built in 2000 or earlier.

⁶ In 2015, there have been three more sales to date in the Cottage Street Historic District. They sold for 98.1%, 101% and 110.2% of their final list prices in 20, 19 and 5 days, respectively.

⁷ An additional benefit of a faster selling property is lower carrying costs for the owner because an unsold house still accrues expenses for that owner.

The five districts were:

- Machine Shop Village NCD (North Andover) – established 2008
- Avon Hill NCD (Cambridge) – established 1998
- Brown Hill NCD (Amesbury) – established 2002
- Auburndale Historic District (Newton) – established 2005
- Pill Hill Historic District (Brookline) – established 1977

Below is a summary of the findings:

Sales Information from 2008 - 2014				
NCD/HD	Town/City	Sales price* Final list price	Days on market*	
Machine Shop Village NCD (19 sales)	North Andover	97.7%	62	
		Town-wide: 96.7%	68	
		Difference: 1.0% higher	6 fewer days	
Avon Hill NCD (30 sales)	Cambridge	99.8%	22	
		City-wide: 97.0%	39	
		Difference: 2.8% higher	17 fewer days	
Brown Hill NCD (17 sales)	Amesbury	98.6%	66	
		Town-wide 96.0%	90	
		Difference: 2.6% higher	24 fewer days	
Auburndale HD (48 sales)	Newton	97.8%	34	
		City-wide: 96.4%	40	
		Difference: 1.4% higher	6 fewer days	
Pill Hill HD (40 sales)	Brookline	96.7%	45	
		Town-wide 94.8%	44	
		Difference: 1.9% higher	1 more day	
		Average:	1.94% higher	10.5 fewer days
*Median				

All five districts experienced sales at *higher* percentages of the final list price than properties town- or city-wide. Four of the five districts saw *faster* sales than properties town- or city-wide. (The only district that had slower sales was Pill Hill Historic District, but only by one day.)

NCDs and Historic Districts throughout the Nation. The Study Committee also examined academic, governmental, and professional literature to determine what the impact of historic designation has on property values at the national level.

This included literature on both NCDs and historic districts. As discussed earlier, both are forms of historic designation. Some NCDs are similar to historic districts that focus on preserving houses. Other NCDs – such as the proposed Standish Road NCD – are not as restrictive, but are akin to historic districts that are more relaxed in their regulations.

In particular, special emphasis was given to so-called “compilation studies” that provide a review of the existing research on the subject to draw the strongest conclusions possible on the effect of historic designation on property values.

Below are excerpts from some of the statewide and national studies that the Study Committee reviewed:

“The literature on the subject of historic designation’s influence on property value overwhelmingly points to a positive effect.”

Economic Impacts of Historic Preservation in Oklahoma, Center for Urban Policy Research, Rutgers University, 2008.

“The results of this study demonstrate a positive and statistically significant relationship between residential sale prices and properties located within conservation districts. There is also evidence of a spillover premium for property adjacent to the conservation districts. On average, the results suggest that conservation district increase the value of residential properties in and around the districts.”

Conservation Status and Residential Transaction Prices: Initial Evidence from Dallas, Texas. Journal of Real Estate Research, 2008.

“Over the last decade a number of analyses have been conducted asking, “What is the impact on property values of local historic districts?” Using a variety of methodologies, conducted by a number of independent researchers, this analysis has been undertaken in New Jersey, Texas, Indiana, Georgia, Colorado, Maryland, North and South Carolina, Kentucky, Virginia, and elsewhere. The results of these studies are remarkably consistent: property values in local historic districts appreciate significantly faster than the market as a whole in the vast majority of cases and appreciate at rates equivalent to the market in the worst case. Simply put – local historic districts enhance property values.”

The (Economic) Value of National Register Listing, Place Economic (a real estate and economic development firm in Washington, D.C.), 2002.

“Examples from communities throughout the state show that historic district designation leads to property value increases that are either higher than, or consistent with, increases in similar, non-designated areas.”

Investing in Michigan’s Future: The Economic Benefits of Historic Preservation, Michigan Historic Preservation Network, 2002.

“National and local historic districts were analyzed in five cities: Logan, Ogden, Park City, Provo, and Salt Lake City. In every instance, the rates of appreciation of homes in historic districts were greater than those in the city as a whole.”

Profits Through Preservation: The Economic Impact of Historic Preservation in Utah, Utah Heritage Foundation, 2014.

“We chose to look at four very different towns and cities in Connecticut: Canton, Milford, Norwich, and Windsor. These communities vary widely in size, geography, demographics and economic condition. In no case was there evidence that being in a local historic district reduced property values. In fact, in three of the four communities, properties within historic districts have had an annual increase in value greater than that of properties in the communities as a whole.”

Connecticut Local Historic District and Property Values, State of Connecticut Department of Economic and Community Development, 2011.

“The findings of recent comparative studies of the effects of historic district designations over time, conducted in many different regions of the U.S., converge on a few key findings:

- *Historic district designation typically increases residential property values by 5-35% over the values in similar, undesignated neighborhoods.*
- *The values of newer properties within designated historic districts increase along with those of older properties.*
- *Local historic district designation decreases investor uncertainty and insulates property values from wild swings in the housing market.”*

Benefits of Residential Historic District Designation for Property Owners, Department of Urban Planning and Design, City of Tucson, Arizona, 2007.

“Historic districts have been shown, both in overall academic literature and in our own rigorous econometric study of properties within the City [of Philadelphia], to have a positive effect on property values; for example, in Philadelphia, holding all other factors constant, homes within an actual district trade at a significant premium to homes that are not in historic districts, historic designation’s positive effect is both immediate and ongoing, and even proximity to a historic district has a positive effect.”

The Economic Impact of Historic Preservation in Philadelphia, Preservation Alliance for Greater Philadelphia, 2010.

“Properties located in local and National Register historic districts experience larger increases in property values than in unprotected or undesignated neighborhoods.”

Historic Preservation in Kentucky, University of Louisville, 2008.

“What effect does local historic district designation truly have on property values?” is a complex issue that involves multiple variables that change widely depending on each area studied. Yet the Colorado research does continue to support the basic conclusion that historic district designation does not decrease property values. This effect was not observed in any of the areas researched for this study or in any similar national studies. On the contrary, property values in the designated areas experienced value increase that were either higher than, or the same as, nearby non-designated areas.”

The Economic Power of Heritage in Place, Clarion Associates of Colorado, 2011.

“All else equal, prices of houses in historic districts are higher than those of similar houses outside historic district.”

The Impact of Historic Districts on Residential Property Values, New York City Independent Budget Office, 2003.

In conclusion, the Study Committee examined three different categories of data and findings in order to determine the effect of historic designation on property values. **The research and data overwhelmingly show that historic designation – through both Neighborhood Conservation Districts and historic districts – acts to increase property values.**

Section 2: How Does an NCD Work?

When is the NCD Process Triggered?

In Wellesley, the triggers for review for each Neighborhood Conservation District can be different.

For the proposed Standish Road NCD, only *four* types of construction projects would be subject to review by the NCD Commission:

- Complete demolition/new construction
- Partial demolition greater than 30% of the existing square footage of living area/subsequent reconstruction of any size
- Additions greater than 50% of the existing square footage of living area or 1000 square feet, whichever is less
- Change in roofline that increases the height of the main ridge or raises a subordinate ridge above it

Everything else is exempt from a review process. In other words, if a proposed construction project does not meet at least one of the above conditions, there is no review by the NCD Commission.

What is the NCD Review Process? How Does It Fit within the Existing Building Permitting Process?

For any construction project on a property that has opted into the NCD, the first step is to contact the Planning Department with the proposed building plans. The Planning Department staff (which assists the NCD Commission) will determine whether the project triggers an NCD review.

If it does not, the Planning Department staff will ask the NCD Commission to issue a Certificate of Non-Applicability so the applicant can proceed through the rest of the building permitting process.

If, however, the project triggers an NCD review, then the NCD Commission will hold a public hearing. At this public hearing, there are two types of approvals that can be given by the NCD Commission:

- Certificate of Compatibility: the proposed project is determined to be appropriate according to the design standards
- Certificate of Hardship: the proposed project may not be appropriate according to the design standards, but is allowed to go forward anyway due to hardship

Following the issuance of either Certificate, the applicant can proceed through the rest of the building permitting process.

If, however, the NCD Commission determines that the proposed construction is *not* appropriate, it must provide the applicant with a written statement (A Determination of Disapproval) of the reasons for its decision. The applicant would use the NCD Commission's comments to revise and resubmit their plans.

Who are the NCD Commission Members?

The NCD Commission consists of five members and at least two alternate members. Three members and one alternate are residents of the NCD and serve three-year terms. These residents are nominated by the membership of the NCD.⁸ The Historical Commission vets each candidate to make sure that he or she is qualified to serve. The Historical Commission designates the fourth member and second alternate for two-year terms. The Planning Board designates the fifth member for a two-year term.

The Planning Department assists the NCD Commission, working with the Commission members to apply standards and follow the appropriate procedures.

What Does the NCD Commission Consider when Making a Determination?

In making a determination of the appropriateness of a proposed project, the NCD Commission can consider *only* the following aspects of the project:

- Site layout
- Volume and dimensions of the building or structure
- Scale and massing in relation to the surroundings
- Appropriateness of the character of the building or structure
- Open space as well as separation from adjacent properties

All determinations are made looking at only what can be seen from a public way. Any features of the proposed project NOT visible from a public way cannot be used to make a determination. (Contrast this with deed restrictions, which would apply to all exterior changes.)

The determinations are made by examining whether the architecture, scale and massing of the proposed structure is compatible with the architecture, scale, and massing of the surrounding homes. This does not mean that the architecture, scale,

⁸ Upon the formation of the NCD, all of the resident members will be nominated at a meeting. When there is a vacancy, a replacement member will be nominated at a special meeting. Each property casts one vote.

and massing have to be identical. Rather, it means that the proposed structure should not stand out from its surroundings.

What Steps Can You Take if You Feel the NCD Commission Made the Wrong Determination?

Any applicant who is dissatisfied with a decision made by the NCD Commission may appeal for a review at a joint meeting of the Wellesley Historical Commission and the Planning Board. Any applicant dissatisfied with the determination made at the joint meeting may request a review by the Superior Court of Norfolk County (i.e., Land Court).

The purpose of these appeal processes is to ensure that the members of the NCD Commission abide by the rules and standards of the NCD in making determinations and not base decisions on their own personal preferences.

Section 3: Study Committee Recommendation

The Study Committee strongly recommends the acceptance of the proposed district within the Standish Road area as a Neighborhood Conservation District. The recommendation is based on four key points:

1. The existing character of the properties within the proposed district is worth preserving
2. An NCD is a tool that preserves character
3. Of the options considered, only the NCD can preserve character while not devaluing properties
4. Because of the opt-in/opt-out provision, the proposed NCD provides an accord between residents who have different opinions on the polarizing issues of teardowns and new construction.

Existing Character

As mentioned in Section 1 of this report, the character of the properties within the proposed district is recognizable and desirable. This can be attributed to the classic and traditional architecture designed by Royal Barry Wills and by his imitators. It also reflects the quality of the construction by Maurice Dunlavy, who developed the initial subdivisions of the Standish Road area. The neighborhood is therefore an asset to its residents and to the Town of Wellesley.

An NCD Preserves Character

The purpose of a Neighborhood Conservation District is to preserve character. The reason this is necessary is that existing zoning regulations, such as building size and height, lot coverage, and setbacks don't do this. They fail to address character, volume, scale, massing, and how a house relates to those nearby.

The establishment of an NCD guarantees the preservation of the existing character of a district. Regardless of what happens to the properties within the district that opt out, the district will retain much of its appeal. This is because at least 80% of the properties within that district had to have opted in.

Only an NCD Preserves Character without Devaluing Properties

The Study Committee examined four commonly proposed alternatives to the establishment of an NCD:

- Deed restrictions
- Just don't sell to a builder

- Modify Large House Review
- Rely on protections already in place

Of these four, the only one that can preserve character is a deed restriction. This method, however, as discussed in Section 1, is not applicable or desirable for our purposes. It would prevent growth. This is the reason why deed restrictions often result in a decrease in property value.

On the other hand, the establishment of an NCD – as proven by the overwhelming totality of research and data – is associated with higher property values.

An NCD Provides an Accord among Residents

The Study Committee recognizes that out-of-character new construction is polarizing among residents. The intent of the Town of Wellesley in establishing our ability to form NCDs (Town Bylaws, Article 46A) went beyond preservation of neighborhood character to create a compromise among residents with opposing views. Those who want to preserve the existing character can opt in and those who wish not to can opt out.

By establishing an NCD, there is no substantiated evidence that any property is harmed. In fact, by not establishing an NCD, the residents who wish to opt-in would remain unprotected from the loss of character they value. If that happens and the character vanishes, the Town of Wellesley also would lose a valuable asset that is irreplaceable.

Recommendation

The Study Committee recommends the formation of the proposed Standish Road Neighborhood Conservation District or any subset thereof. It is a perfect solution to the complex and divisive issue of teardowns and out-of-character new construction. An NCD is reasonable and effective.

Furthermore, the Study Committee recommends that the core of the district include as much of the 1938 and 1940 subdivisions as possible because of the strong character and allure created by the preponderance of Royal Barry Wills' designs. In particular, strong emphasis should be placed on preserving streetscapes; that is, collections of abutting properties. Streetscapes are important components of neighborhoods and therefore are assets to the Town.⁹

⁹ The Study Committee reserves the right to produce an update to this report if necessary.

Appendices

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Appendix A: Timeline of Activities

June 2014	15 Dudley Road and 14 Winslow Road are torn down by developers and new construction begins
June – December 2014	Canvassing: Information about Neighborhood Conservation Districts (NCDs) and initial petition to form a committee to study the establishment of an NCD in the Standish Road area distributed to homeowners of 83 properties on Standish Road, Carver Road, Brewster Road, Priscilla Road, Winslow Road, and Dudley Road ¹⁰
July 2014	Contact with Wellesley Historical Commission to determine what was needed to form a Study Committee under Bylaw 46A (Neighborhood Conservation Districts).
November 2014	NCD public information session held at the Wellesley Community Center
January 2015	Petition to form a Study Committee for a proposed Standish Road Neighborhood Conservation District submitted to the Wellesley Historical Commission and subsequent appointment of Study Committee members
February – August 2015	Study Committee held 14 meetings to discuss its Report, to hear from experts and receive input from residents.* Meetings were held: February 12, 24; March 5, 18, 24; April 6, 8, 15, 29; May 14; June 5, 18; August 12, 18 (*Agendas and Minutes can be found on the Town Website within the Planning Department page.)
April 2015	NCD public information session held at Kingsbury Room at Wellesley Police Station
August 2015	Approval of final draft of Study Report by the Study Committee and subsequent submission to the Wellesley Historical Commission.

¹⁰ The efforts to establish an NCD in the Standish Road area began with the consideration of 83 properties located on Standish Road, Brewster Road, Carver Road, Dudley Road, Priscilla Road, and Winslow Road. There was a similarity in their histories of development and therefore they have a similar character. It was for this reason that abutting streets, including Standish Circle, Priscilla Circle, Oakland Street, Partridge Road, Putney Road and Mulherin Lane were excluded from consideration at this time. They were developed at different times by different people and, therefore, have different characters.

Appendix B: Royal Barry Wills

Our neighborhood, the Standish Road area, represents one of the largest collections of houses designed by world-renowned architect Royal Barry Wills in Massachusetts. There are twenty-three houses where Wills is listed as the architect on the building permit. Another twenty houses may be attributed directly to him, but the building permits no longer exist or are incomplete. Fifteen other houses are derivative, designed by architects who admired his work and who deliberately adapted significant design elements from it.

Wills, who graduated from MIT, began his architectural practice in 1925. At that time, most architect-designed buildings were corporate, municipal or large residences specifically created for wealthy individuals. The style of these buildings had European roots: classical Greek and Roman, French chateau, Italianate, and Queen Anne Victorian. Ordinary houses simply were built, not designed. Wills returned to the origin of American architecture – the Cape Cod style – and began to adapt it for vernacular construction. And although Wills is thought of as the father of the Cape Cod style, even his early work includes more elegant Colonials, elegant because of their restraint and proportions. Almost singlehandedly, Wills transformed residential architecture in the first half of the 20th Century, making well-designed homes available for everyone. His efforts popularized the Colonial Revival movement throughout America, but he started building in Massachusetts.

In fact, a 1946 article in *Life Magazine* featured some of Wills' houses, including a photograph of 9 Standish Road. 1 Standish Road was profiled in Wills' book, *Houses For Good Living*, and the floor plans for 36 Standish Road and 68 Standish Road, among others, appear in several of Wills' books.



BLUEPRINT IN HAND, ARCHITECT WILLS SITS IN AN UNFINISHED WINDOW OF ONE OF HIS LATEST HOUSES, BEING BUILT ON ATLANTIC COAST AT NAHANT, MASS.

ROYAL BARRY WILLS

BOSTON ARCHITECT DESIGNS THE KINDS OF HOUSES MOST AMERICANS WANT

Scattered about the U.S. are some 1,100 houses which long before the housing shortage were receiving the longing stares of almost everyone who passed them by. They were designed by Royal Barry Wills, a Boston architect whose products seem to be an almost perfect fulfillment of the sentimental American ideal of what a home should be.

Most of Mr. Wills's houses are early American in design—Cape Cod cottages, houses with salt-box roofs or garrison houses with overhanging second stories. Besides designing real houses Wills

has designed several hundred on paper and published them in six books which have a combined sale of 520,000, making him the nation's most popular architectural author.

Solidly entrenched as the leading U.S. designer of small traditional houses, Wills has become a focal point for the distaste of many of the country's more vociferous but less popular modern architects. They call him a copyist and an opportunist and scorn his lack of enthusiasm for designing "machines for living." In rebuttal Wills maintains

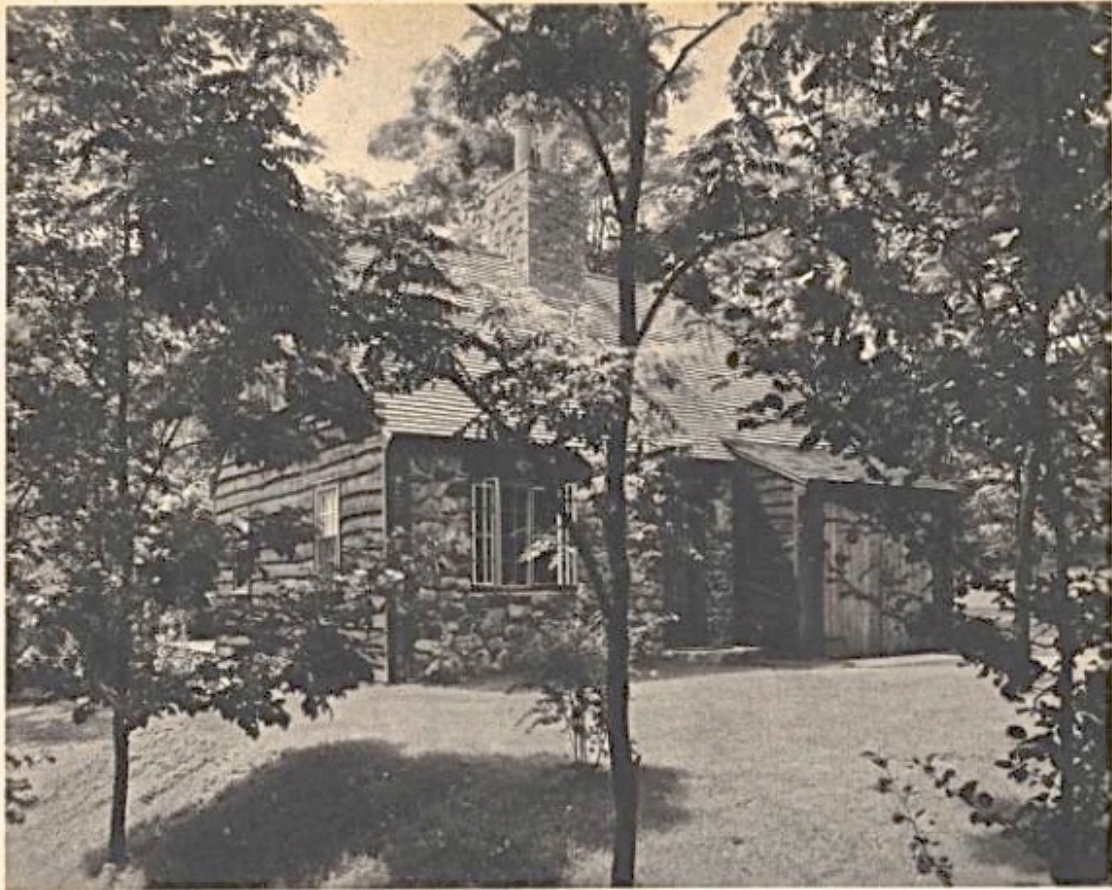
that good residential architecture should be primarily emotional and, like good art, be a part of the people and understood by them—a status which modern architecture cannot yet claim.

On the following pages LIFE presents a portfolio of Wills houses in photographs and sketches. Like the modernists Wills tries to build as much practicality into them as he can but never at the sacrifice of such things as knotty pine panels, exposed hand-hewn beams, eight-foot fireplaces and windows filled with tiny leaded-glass panes.

CONTINUED ON NEXT PAGE 67

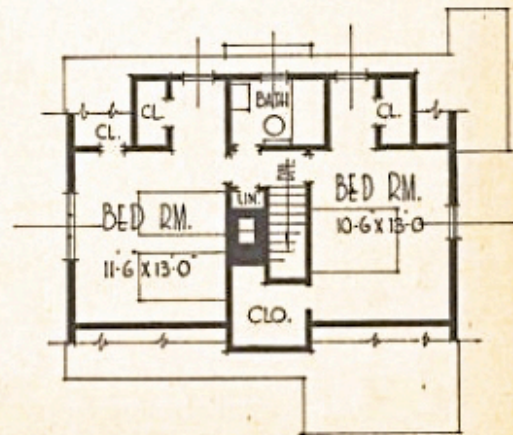
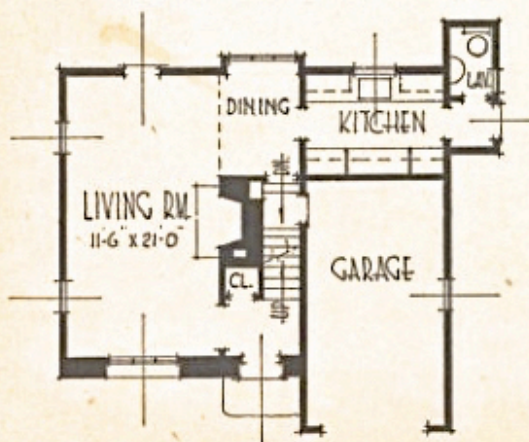
Copyrighted material

LIFE Magazine: August 26, 1946

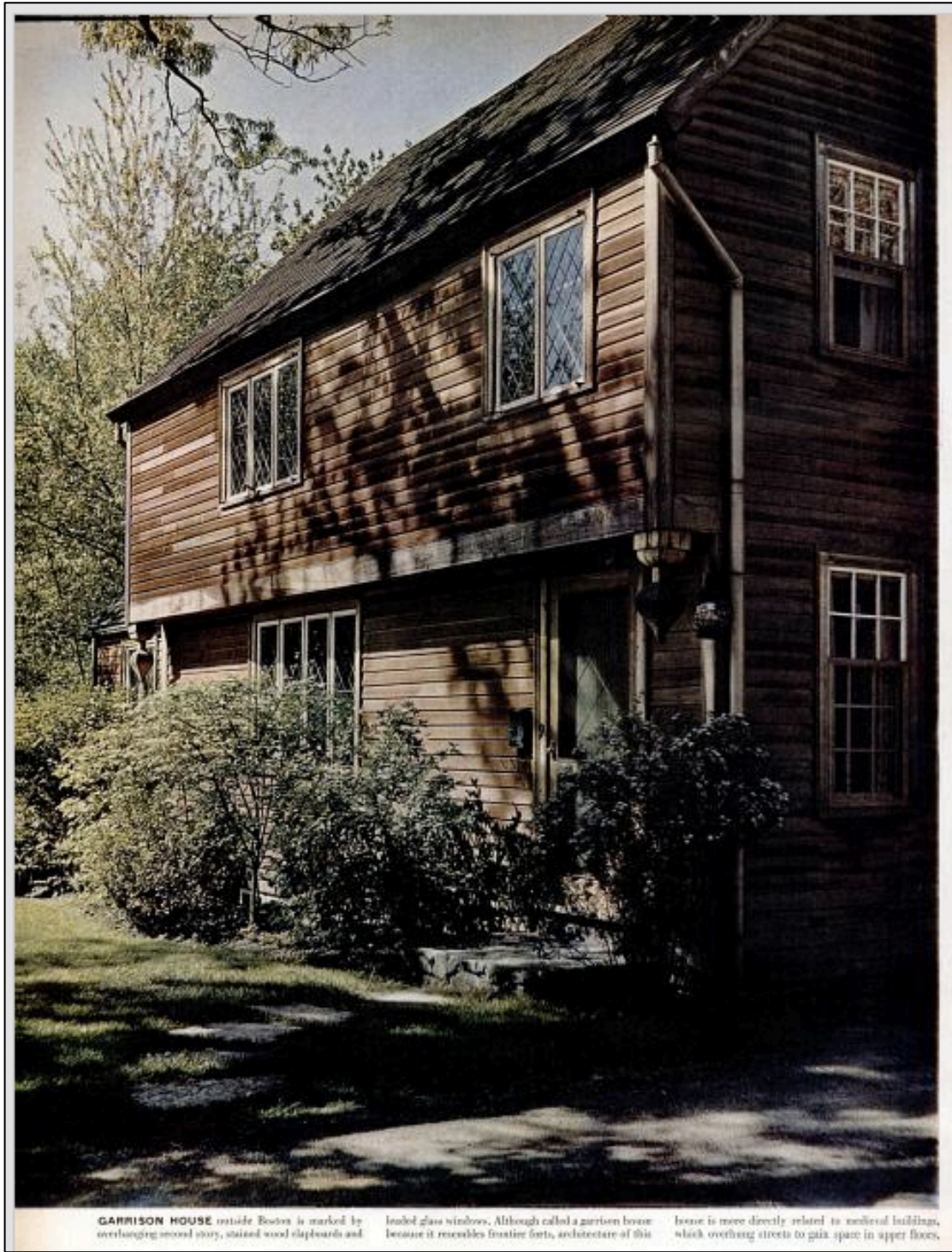


J. H. Brown
HOUSE

- The intriguing combination of stone and rough boarding gives an interesting solution of the smaller house problem, without making use of any particular precedent.



Houses for Good Living by Royal Barry Wills (1946)
1 Standish Road, Wellesley

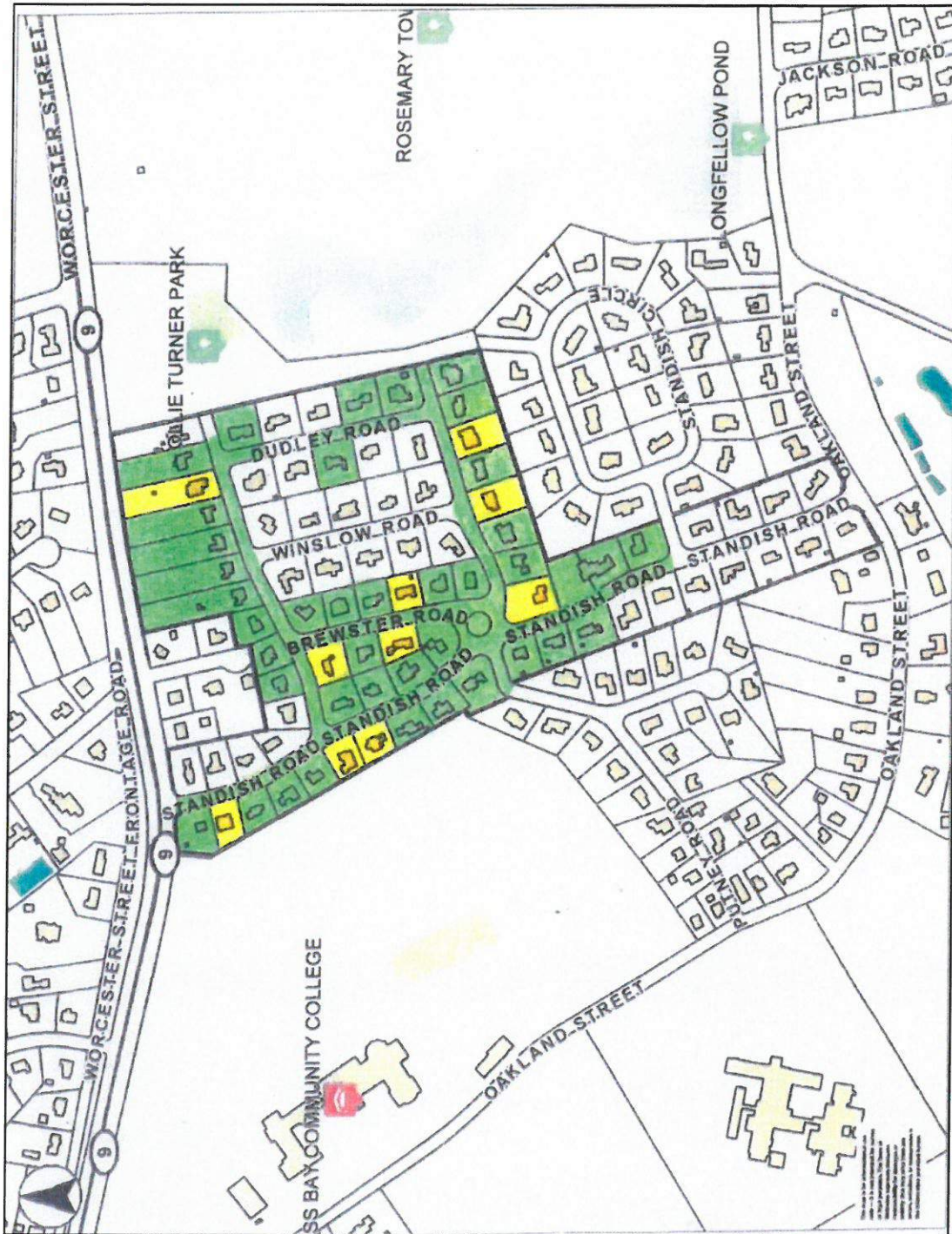


GARRISON HOUSE outside Boston is marked by overhanging second story, stained wood clapboards and leaded glass windows. Although called a garrison house because it resembles frontier forts, architecture of this house is more directly related to medieval buildings, which overhung streets to gain space in upper floors.

LIFE Magazine: August 26, 1946
9 Standish Road, Wellesley

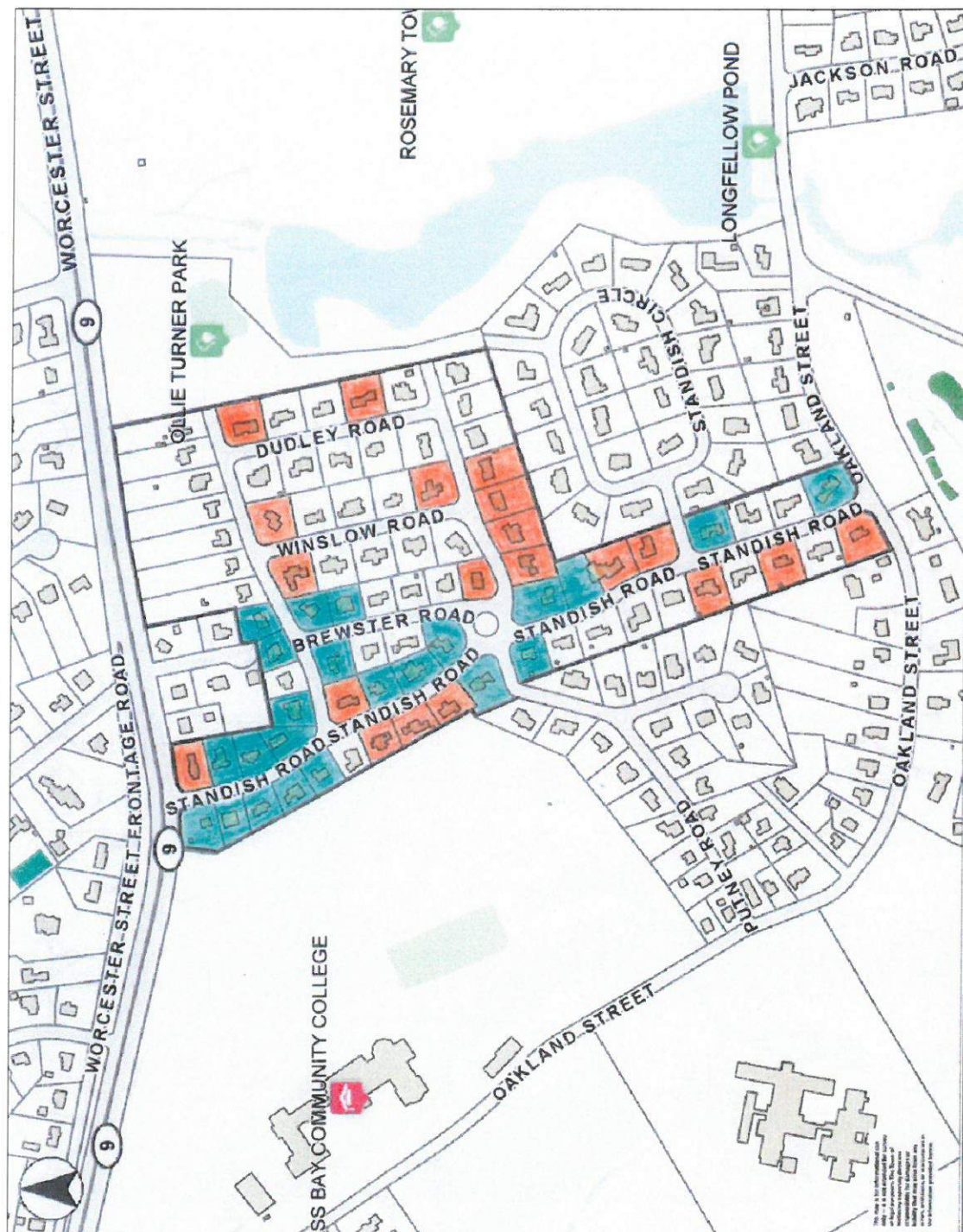
Appendix C: Maps

Map of proposed Standish Road NCD to establish the Study Committee.....	31
Green = opt-in properties	
Yellow = opt-out properties	
White = not included in district properties	
Map showing houses designed by Royal Barry Wills or suspected to have been designed by Royal Barry Wills.....	32
Teal = designed by Royal Barry Wills	
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Blue = wetlands or wetland buffer zones	
1938 subdivision map.....	35
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Map of properties in the proposed Standish Road NCD

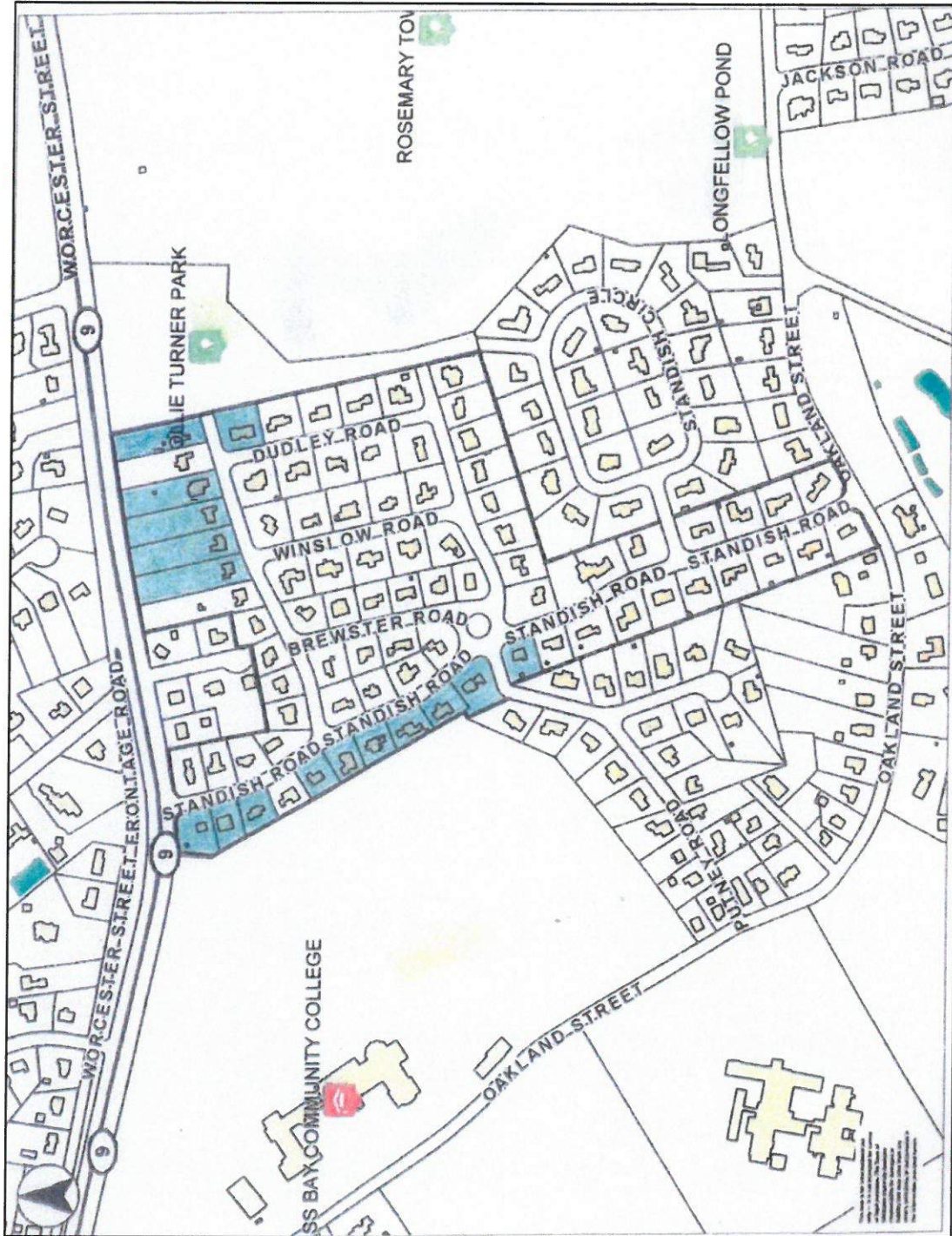
- Opt-in properties
- Opt-out properties
- Not included in the District



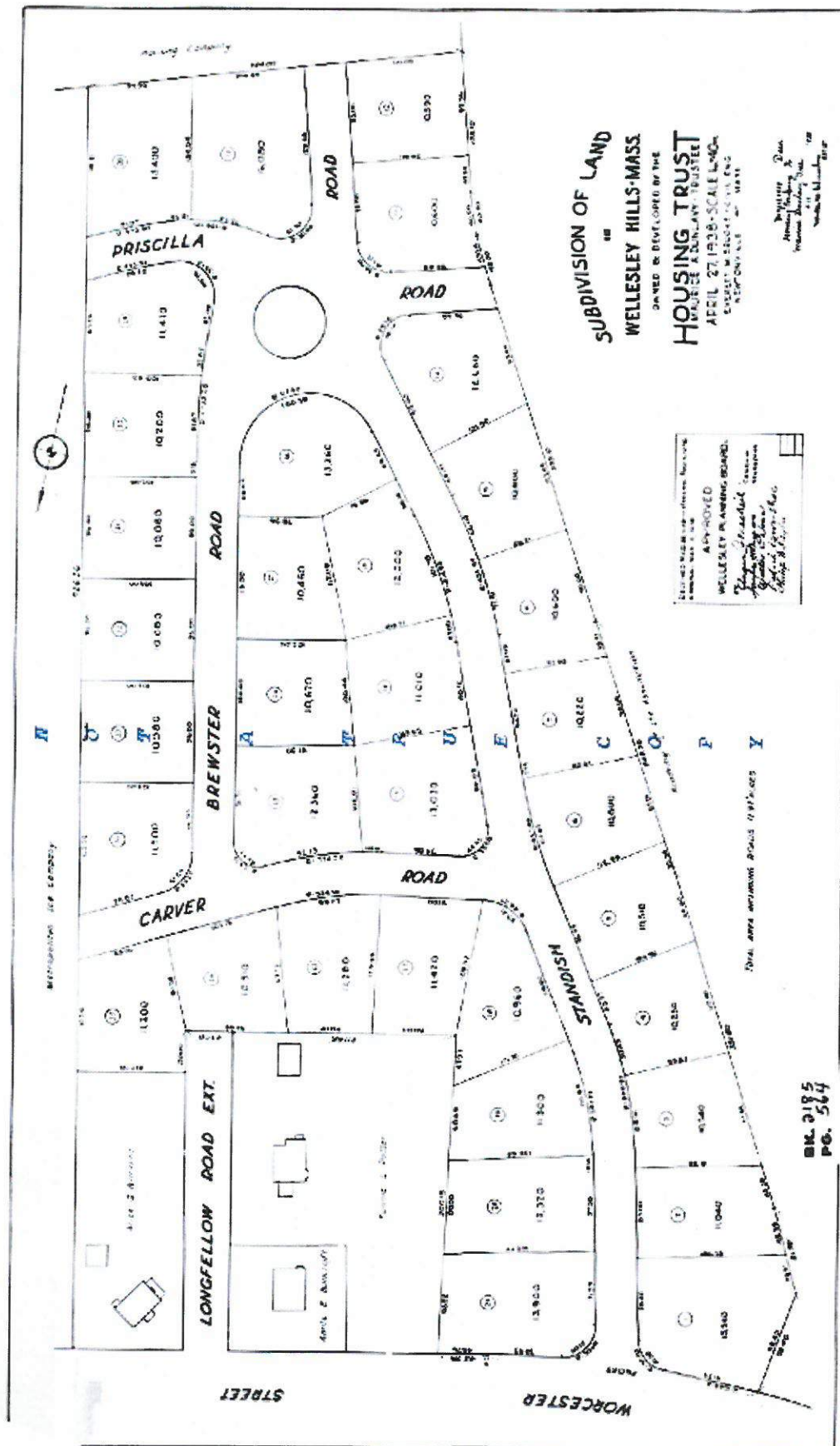
Houses designed by or suspected to be designed by Royal Barry Wills

■ Royal Barry Wills

■ Suspected Royal Barry Wills



Properties having wetlands or wetland buffer zones
 ■ Wetlands or wetland buffer zones present



1938 Subdivision Map: Northern end of Standish Road, Brewster Road, eastern ends of Carver and Priscilla Roads

Appendix D: Inventory of Houses for the Proposed Standish Road NCD

The following pages provide photographs, maps, and other descriptive details of the 40 properties that requested the formation of a Study Committee to consider whether to establish a Standish Road Neighborhood Conservation District (NCD).

Standish Road: 1, 9, 15, 19, 22, 24, 30, 31, 35, 36, 39, 47, 51, 54, 55, 58, 62

Brewster Road: 6, 7, 10, 18, 22

Carver Road: 8, 11, 12, 16, 20, 24, 28, 32, 40

Dudley Road: 2, 11, 14

Priscilla Road: 7, 11, 19, 27, 30, 31

1 Standish Road

Photograph



Map



Lot size: 15,540 sq. ft.

Footprint size: 786 sq. ft.

Total living area: 777 sq. ft.

Number of stories: 1.5

Exterior siding: Shingle/Masonry

Year Built: 1938

Source: Building Department

Style: Cape

Architect: Royal Barry Wills

Builder: Maurice Dunlavy

9 Standish Road

Photograph



Map



Lot size: 10,540 sq. ft.

Footprint size: 1125 sq. ft.

Total living area: 1741 sq. ft.

Number of stories: 2

Exterior siding: Clapboard

Year Built: 1938

Source: Building Department

Style: Garrison

Architect: Royal Barry Wills

Builder: Maurice Dunlavy

15 Standish Road

Photograph



Map



Lot size: 10,250 sq. ft.

Footprint size: 1575 sq. ft.

Total living area: 1770 sq. ft.

Number of stories: 1.5

Exterior siding: Shingle

Year Built: 1939

Source: Building Department

Style: Cape

Architect: Royal Barry Wills

Builder: Maurice Dunlavy

19 Standish Road

Photograph



Map

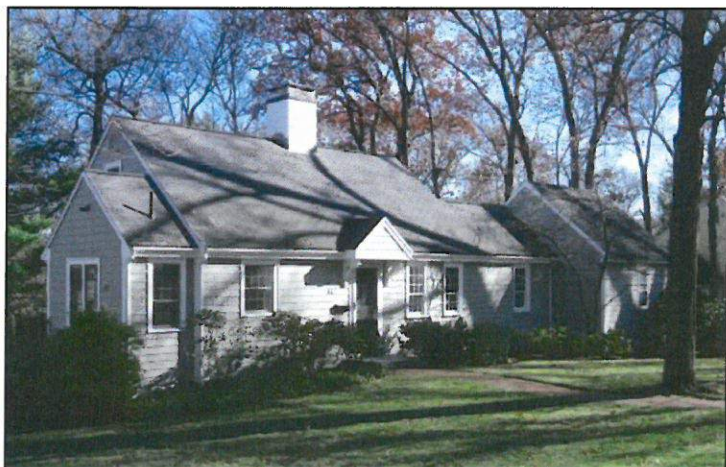


Lot size: 10,510 sq. ft.
Footprint size: 1160 sq. ft.
Total living area: 1730 sq. ft.
Number of stories: 1.6
Exterior siding: Aluminium/Vinyl

Year Built: 1940
Source: Building Department
Style: Cape
Architect: Royal Barry Wills
Builder: Harry Brettell

22 Standish Road

Photograph



Map



Lot size: 13,030 sq. ft.

Footprint size: 1357 sq. ft.

Total living area: 1585 sq. ft.

Number of stories: 1.5

Exterior siding: Shingle

Year Built: 1939

Source: Registry of Deeds

Style: Cape

Architect: Suspected Royal Barry Wills

Builder: Unknown

24 Standish Road

Photograph



Map



Lot size: 11,010 sq. ft.

Footprint size: 1119 sq. ft.

Total living area: 1433 sq. ft.

Number of stories: 2

Exterior siding: Clapboard

Year Built: 1939

Source: Building Department

Style: Colonial

Architect: Royal Barry Wills

Builder: Maurice Dunlavy

30 Standish Road

Photograph



Map



Lot size: 12,000 sq. ft.

Footprint size: 2042 sq. ft.

Total living area: 2525 sq. ft.

Number of stories: 1.75

Exterior siding: Clapboard

Year Built: 1941

Source: Registry of Deeds

Style: Cape

Architect: Royal Barry Wills

Builder: Maurice Dunlavy

31 Standish Road

Photograph



Map



Lot size: 10,600 sq. ft.

Footprint size: 1679 sq. ft.

Total living area: 1800 sq. ft.

Number of stories: 1.5

Exterior siding: Clapboard

Year Built: 1941

Source: Registry of Deeds

Style: Cape

Architect: Suspected Royal Barry Wills

Builder: Unknown

35 Standish Road

Photograph



Map



Lot size: 10,800 sq. ft.

Footprint size: 1547 sq. ft.

Total living area: 1992 sq. ft.

Number of stories: 1.75

Exterior siding: Clapboard

Year Built: 1941

Source: Building Department

Style: Cape

Architect: Suspected Royal Barry Wills

Builder: Maurice Dunlavy

36 Standish Road

Photograph



Map



Lot size: 13,260 sq. ft.
Footprint size: 1291 sq. ft.
Total living area: 1494 sq. ft.
Number of stories: 1.5
Exterior siding: Shingle/Clapboard

Year Built: 1940
Source: Building Department
Style: Cape
Architect: Royal Barry Wills
Builder: Maurice Dunlavy

39 Standish Road

Photograph



Map



Lot size: 16,715 sq. ft.

Footprint size: 1726 sq. ft.

Total living area: 1878 sq. ft.

Number of stories: 1.75

Exterior siding: Clapboard

Year Built: 1940

Source: Building Department

Style: Cape

Architect: Royal Barry Wills

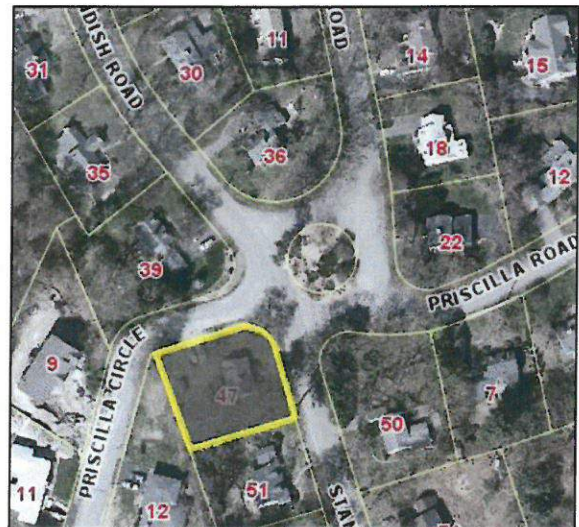
Builder: Maurice Dunlavy

47 Standish Road

Photograph



Map



Lot size: 10,600 sq. ft.
Footprint size: 1073 sq. ft.
Total living area: 1443 sq. ft.
Number of stories: 1.5
Exterior siding: Aluminium/Vinyl

Year Built: 1940
Source: Building Department
Style: Cape
Architect: Royal Barry Wills
Builder: Neil F. Monahan

51 Standish Road

Photograph



Map



Lot size: 10,780 sq. ft.

Footprint size: 1466 sq. ft.

Total living area: 1767 sq. ft.

Number of stories: 1.5

Exterior siding: Aluminium/Vinyl

Year Built: 1940

Source: Building Department

Style: Cape

Architect: Chas. W.E. Morris

Builder: C.W. Cleveland

54 Standish Road

Photograph



Map

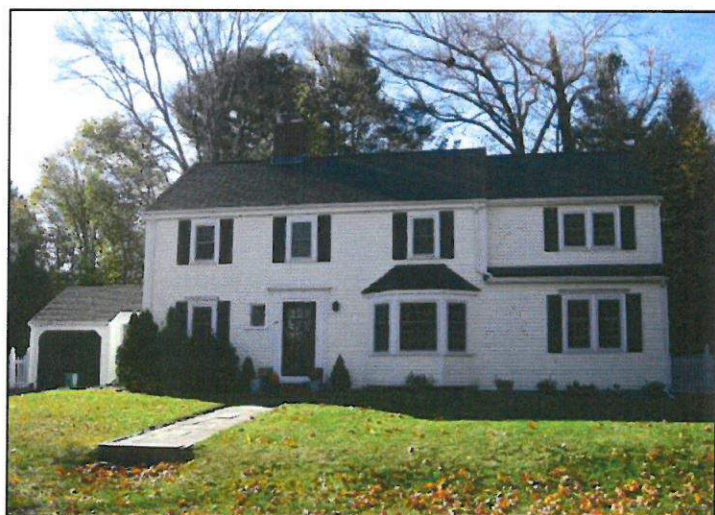


Lot size: 15,136 sq. ft.
Footprint size: 1501 sq. ft.
Total living area: 1895 sq. ft.
Number of stories: 1.75
Exterior siding: Clapboard/Shingle

Year Built: 1941
Source: Building Department
Style: Cape
Architect: Royal Barry Wills
Builder: Maurice Dunlavy

55 Standish Road

Photograph



Map



Lot size: 15,061 sq. ft.

Footprint size: 1562 sq. ft.

Total living area: 2390 sq. ft.

Number of stories: 2

Exterior siding: Clapboard

Year Built: 1942

Source: Registry of Deeds

Style: Colonial

Architect: Unknown
(in style of Royal Barry Wills)

Builder: Unknown

58 Standish Road

Photograph



Map



Lot size: 15,042 sq. ft.

Footprint size: 1588 sq. ft.

Total living area: 2202 sq. ft.

Number of stories: 1.5

Exterior siding: Shingle

Year Built: 1952

Source: Building Department

Style: Cape

Architect: Herman Perkins
(in style of Royal Barry Wills)

Builder: Conrad Parker &
Herman Perkins

62 Standish Road

Photograph



Map



Lot size: 15,089 sq. ft.

Footprint size: 1684 sq. ft.

Total living area: 3182 sq. ft.

Number of stories: 1.8

Exterior siding: Clapboard

Year Built: 1945

Source: Building Department

Style: Cape

Architect: Suspected Royal Barry Wills

Builder: Maurice Dunlavy

8 Carver Road

Photograph



Map



Lot size: 10,990 sq. ft.

Footprint size: 1436 sq. ft.

Total living area: 1837 sq. ft.

Number of stories: 2

Exterior siding: Aluminium/Vinyl

Year Built: 1941

Source: Building Department

Style: Colonial

Architect: In style of Royal Barry Wills

Builder: Maurice Dunlavy

11 Carver Road

Photograph



Map



Lot size: 11,500 sq. ft.

Footprint size: 1427 sq. ft.

Total living area: 1759 sq. ft.

Number of stories: 1.5

Exterior siding: Clapboard

Year Built: 1942

Source: Building Department

Style: Cape

Architect: Royal Barry Wills

Builder: Maurice Dunlavy

12 Carver Road

Photograph



Map



Lot size: 10,250 sq. ft.
Footprint size: 1722 sq. ft.
Total living area: 1245 sq. ft.
Number of stories: 1.25
Exterior siding: Aluminium/Vinyl

Year Built: 1942
Source: Building Department
Style: Cape
Architect: Royal Barry Wills
Builder: Maurice Dunlavy

16 Carver Road

Photograph



Map



Lot size: 11,200 sq. ft.
Footprint size: 1157 sq. ft.
Total living area: 1606 sq. ft.
Number of stories: 2
Exterior siding: Aluminium/Vinyl

Year Built: 1942
Source: Building Department
Style: Colonial
Architect: Royal Barry Wills
Builder: Maurice Dunlavy

20 Carver Road

Photograph



Map



Lot size: 29,746 sq. ft.

Footprint size: 1262 sq. ft.

Total living area: 1920 sq. ft.

Number of stories: 2

Exterior siding: Clapboard

Year Built: 1948

Source: Building Department

Style: Colonial

Architect: Unknown

Builder: Maurice Dunlavy

24 Carver Road

Photograph



Map



Lot size: 27,792 sq. ft.

Footprint size: 1344 sq. ft.

Total living area: 1898 sq. ft.

Number of stories: 1.5

Exterior siding: Aluminium/Vinyl

Year Built: 1948

Source: Building Department

Style: Cape

Architect: Unknown
(in style of Royal Barry Wills)

Builder: Maurice Dunlavy

28 Carver Road

Photograph



Map



Lot size: 26,956 sq. ft.
Footprint size: 1312 sq. ft.
Total living area: 1677 sq. ft.
Number of stories: 1.75
Exterior siding: Aluminium/Vinyl

Year Built: 1950
Source: Building Department
Style: Cape
Architect: V. Merdini
Builder: Michael Rioux

32 Carver Road

Photograph



Map



Lot size: 26,073 sq. ft.

Footprint size: 1384 sq. ft.

Total living area: 1744 sq. ft.

Number of stories: 1.75

Exterior siding: Shingle

Year Built: 1951

Source: Building Department

Style: Cape

Architect: Unknown

Builder: Maurice Dunlavy

40 Carver Road

Photograph



Map



Lot size: 23,858 sq. ft.

Footprint size: 1490 sq. ft.

Total living area: 1118 sq. ft.

Number of stories: 1

Exterior siding: Clapboard

Year Built: 1951

Source: Building Department

Style: Ranch

Architect: Unknown

Builder: Maurice Dunlavy

6 Brewster Road

Photograph



Map



Lot size: 10,080 sq. ft.

Footprint size: 1889 sq. ft.

Total living area: 2322 sq. ft.

Number of stories: 1.9

Exterior siding: Clapboard

Year Built: 1942

Source: Building Department

Style: Cape

Architect: Royal Barry Wills

Builder: Maurice Dunlavy

7 Brewster Road

Photograph



Map



Lot size: 10,670 sq. ft.
Footprint size: 1388 sq. ft.
Total living area: 1808 sq. ft.
Number of stories: 1.5
Exterior siding: Aluminium/Vinyl

Year Built: 1959
Source: Buiding Department
Style: Cape
Architect: J. Francis Donley
(in style of Royal Barry Wills)
Builder: Alfred E. Anderson

10 Brewster Road

Photograph



Map



Lot size: 10,080 sq. ft.
Footprint size: 1303 sq. ft.
Total living area: 1558 sq. ft.
Number of stories: 1.5
Exterior siding: Aluminium/Vinyl

Year Built: 1948
Source: Building Department
Style: Cape
Architect: In style of Royal Barry Wills
Builder: Everett P. Corkum

18 Brewster Road

Photograph



Map



Lot size: 10,200 sq. ft.
Footprint size: 1524 sq. ft.
Total living area: 1788 sq. ft.
Number of stories: 1.75
Exterior siding: Aluminium/Vinyl

Year Built: 1947
Source: Building Department
Style: Cape
Architect: Kenneth W. Balzell
(in style of Royal Barry Wills)
Builder: H. Backstrom

22 Brewster Road

Photograph



Map



Lot size: 11,470 sq. ft.

Footprint size: 1294 sq. ft.

Total living area: 1694 sq. ft.

Number of stories: 2

Exterior siding: Shingle

Year Built: 1951

Source: Building Department

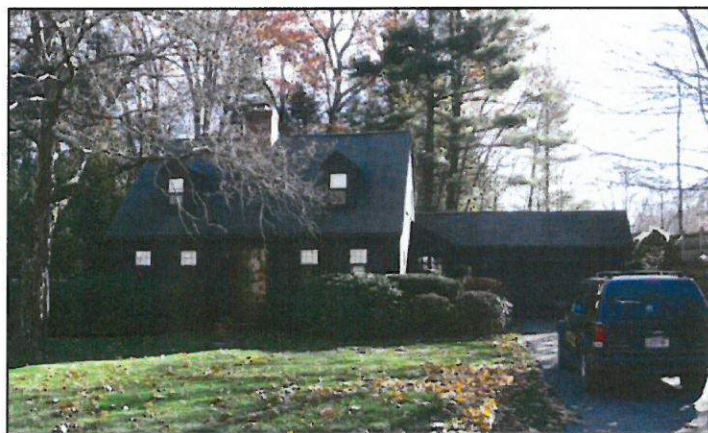
Style: Colonial

Architect: Suspected Royal Barry Wills

Builder: Frank A. Lind

7 Priscilla Road

Photograph



Map



Lot size: 13,400 sq. ft.

Footprint size: 1428 sq. ft.

Total living area: 1396 sq. ft.

Number of stories: 1.5

Exterior siding: Shingle

Year Built: 1949

Source: Building Department

Style: Cape

Architect: Suspected Royal Barry Wills

Builder: Frank A. Lind

11 Priscilla Road

Photograph



Map



Lot size: 15,780 sq. ft.
Footprint size: 2258 sq. ft.
Total living area: 3157 sq. ft.
Number of stories: 1.75
Exterior siding: Aluminium/Vinyl

Year Built: 1949
Source: Building Department
Style: Cape
Architect: Suspected Royal Barry Wills
Builder: Frank A. Lind

19 Priscilla Road

Photograph



Map



Lot size: 15,780 sq. ft.

Footprint size: 1713 sq. ft.

Total living area: 1870 sq. ft.

Number of stories: 1.5

Exterior siding: Clapboard

Year Built: 1950

Source: Building Department

Style: Cape

Architect: Suspected Royal Barry Wills

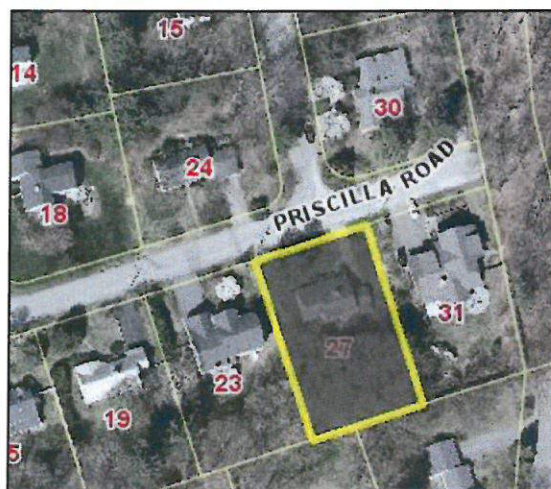
Builder: Maurice Dunlavy

27 Priscilla Road

Photograph



Map



Lot size: 15,680 sq. ft.

Footprint size: 1511 sq. ft.

Total living area: 2161 sq. ft.

Number of stories: 1.75

Exterior siding: Aluminium/Vinyl

Year Built: 1949

Source: Building Department

Style: Cape

Architect: Suspected Royal Barry Wills

Builder: Maurice Dunlavy

30 Priscilla Road

Photograph



Map



Lot size: 15,594 sq. ft.

Footprint size: 2248 sq. ft.

Total living area: 2144 sq. ft.

Number of stories: 1

Exterior siding: Brick

Year Built: 1949

Source: Building Department

Style: Ranch

Architect: Fred J. Finglen

Builder: Maurice Dunlavy

31 Priscilla Road

Photograph



Map



Lot size: 15,680 sq. ft.

Footprint size: 2652 sq. ft.

Total living area: 3270 sq. ft.

Number of stories: 2

Exterior siding: Shingle

Year Built: 2002

Source: Building Department

Style: Craftsman

Architect: Matthew J. O'Brien

Builder: Logan R. Huffman

2 Dudley Road

Photograph



Map



Lot size: 15,861 sq. ft.

Footprint size: 2183 sq. ft.

Total living area: 2291 sq. ft.

Number of stories: 1.5

Exterior siding: Shingle

Year Built: 1951

Source: Building Department

Style: Cape

Architect: Suspected Royal Barry Wills

Builder: Maurice Dunlavy

11 Dudley Road

Photograph



Map



Lot size: 15,104 sq. ft.

Footprint size: 1492 sq. ft.

Total living area: 1210 sq. ft.

Number of stories: 1

Exterior siding: Aluminium/Vinyl

Year Built: 1951

Source: Building Department

Style: Ranch

Architect: Suspected Royal Barry Wills

Builder: Maurice Dunlavy

14 Dudley Road

Photograph



Map



Lot size: 15,104 sq. ft.

Footprint size: 1622 sq. ft.

Total living area: 1750 sq. ft.

Number of stories: 1.75

Exterior siding: Clapboard

Year Built: 1950

Source: Building Department

Style: Cape

Architect: Suspected Royal Barry Wills

Builder: Maurice Dunlavy

Appendix E: The Two Teardowns that Sparked Interest in the Establishment of an NCD

In June 2014, the houses at 15 Dudley Road and 14 Winslow Road were torn down by developers who proceeded to construct new houses.

15 Dudley Road:



Cape Cod style, 1414 square feet; 2 bedrooms, 2 baths, built 1951 renovated 2010, torn down 2014.



Colonial style, 5400 square feet (including basement); 5 bedrooms, 6.5 baths, built 2014.

14 Winslow Road:



Cape/Colonial style, 1554 square feet; 3 bedrooms, 1.5 baths, built 1949, kitchen and baths were updated, torn down 2014.



Colonial style, 5500 square feet (including basement); 5 bedrooms, 4.5 baths, built 2014.

Appendix F: Financial Data for Sales in Wellesley

Sales in Denton Road Neighborhood Conservation District since its establishment in 2008

Address	List Price	Sales Price	Sale Date	DOM
44 Denton Road	\$699,000	\$651,690	05/15/2009	46
55 Denton Road	\$849,000	\$865,000	04/06/2012	18
15 Denton Road	\$729,000	\$805,000	06/26/2014	8
61 Denton Road	\$899,000	\$940,000	08/05/2015	24

Sales in Cottage Street Historic District since 2005:

Address	List Price	Sales Price	Sale Date	DOM
19 Cottage Street	\$1,250,000	\$1,250,000	04/28/2005	2
11 Cottage Street	\$1,200,000	\$1,257,000	07/15/2005	3
15 Cottage Street	\$699,900	\$675,000	09/07/2005	33
32 Cottage Street	\$620,000	\$620,000	10/19/2005	173
33 Cottage Street	\$1,395,000	\$1,317,500	03/15/2006	82
17 Abbott Street	\$769,000	\$769,000	06/28/2006	2
38 Cottage Street	\$480,000	\$425,000	11/14/2006	131
39 Cottage Street	\$1,195,000	\$1,301,000	02/20/2007	8
16 Weston Road	\$619,000	\$619,000	07/12/2007	2
32 Cottage Street	\$849,000	\$810,000	09/12/2007	184
40 Cottage Street	\$771,000	\$725,000	10/02/2007	63
21 Cottage Street	\$849,500	\$822,500	07/31/2008	18
39 Cottage Street	\$1,450,000	\$1,275,000	10/23/2009	115
18 Abbott Street	\$695,000	\$645,500	11/30/2010	36
33 Cottage Street	\$1,295,000	\$1,272,500	08/11/2011	36
47 Cottage Street	\$899,000	\$860,000	10/12/2011	100
17 Abbott Street	\$829,000	\$791,500	09/14/2012	76
8 Cottage Street	\$979,000	\$1,023,000	05/03/2013	19
19 Abbott Street	\$649,900	\$711,000	06/24/2013	2
32 Cottage Street	\$995,000	\$992,500	06/30/2014	12
47 Cottage Street	\$999,000	\$1,019,000	07/10/2014	20
17 Waban Street	\$895,000	\$895,000	08/09/2014	8
16 Weston Road	\$699,000	\$770,000	02/19/2015	20
30 Cottage Street	\$680,000	\$687,000	05/22/2015	19
58 Cottage Street	\$1,325,000	\$1,300,000	06/16/2015	5

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Appendix G: Proposed Bylaw (Article 46C)

[ARTICLE 46C]

STANDISH ROAD NEIGHBORHOOD CONSERVATION DISTRICT

46C.1 Purpose of the Standish Road Neighborhood Conservation District

- (a) This Bylaw enables the establishment of the Standish Road Neighborhood Conservation District (NCD) in the Town of Wellesley for the following purposes:
- i. To recognize that the district within the Standish Road Neighborhood, which dates back to the origins of the subdivision in 1938 and which contains a variety of homes designed by or influenced by the designs of Royal Barry Wills, clustered along tree-shaded streets, is a distinctive area that contributes significantly to the diversity and character of Wellesley.
 - ii. To promote conservation and preservation of the existing Buildings and Structures; to encourage compatible new construction that will complement existing Building, Structures, Streetscapes and overall neighborhood character; and to foster appropriate reuse of and upgrades to Buildings and Structures.
 - iii. To provide residents and property owners with the opportunity to participate in planning the future of their neighborhood.
- (b) This Bylaw will enable alterations to the Buildings and Structures of the Standish Road Neighborhood Conservation District to meet the needs of current and future owners, without sacrificing the neighborhood's attractive qualities.
- (c) The NCD designation acknowledges the Standish Road area's distinctive architectural, aesthetic, and historical role in the development of the Town of Wellesley's character.

46C.2 Boundaries of the Standish Road NCD

The boundaries of the Standish Road NCD, the specific properties that have elected to participate in the NCD and those that have elected not to participate in the NCD shall be defined in this section prior to the closing of the warrant for the Town Meeting at which the Standish Road NCD will apply for designation.

46C.3 Review Authority of the Standish Road NCD Commission

- (a) Membership of the NCD Commission shall be in accordance with Article 46A, Section 4, Neighborhood Conservation District Commissions.

- (b) The authority of the Standish Road NCD Commission shall extend to the review of construction, demolition, or alteration of exterior features on a property within the District visible from a public way as described below, under Article 46C.4, and review will follow the procedures described in Article 46A, Section 5, Review of construction and/or alterations.
- (c) As described in Article 46A, Section 5 (d) (vii), the NCD Commission shall meet periodically with the Property Owners in the NCD for the purpose of determining whether or not the District's Guidelines or Standards are still appropriate, and shall send a report to the Historical Commission containing their findings. The first of these meetings shall occur two years from the date of the District's designation as an NCD, and shall occur at no less than five year intervals thereafter, unless this interval is changed by a majority vote of the Property Owners after the first two years.
- (d) Recommendations for amendments to the District, including Guidelines or Standards, governance, procedural changes, and geographical boundaries, must be approved by a majority of the District's property owners and the amendment procedures described in Article 46A, Section 3 (i) must be followed. Proposed changes approved by the Historical Commission and Planning Board must be approved by a majority vote of Town Meeting.

46C.4 Determinations by the Standish Road NCD Commission.

Except as otherwise provided in Article 46A or this Bylaw and its Guidelines or Standards, no Building, Structure, or Setting within the District shall be constructed, demolished, or altered in any way unless the NCD Commission has first issued a Certificate of Compatibility, a Certificate of Hardship, or a Certificate of Non-Applicability.

- (a) Subject to Review: The following four situations trigger review by the NCD Commission, and the Commission's determinations are binding. The determinations may contain conditions necessary to fulfill the terms of Section 7 of this Bylaw. The situations are:
 - i. Complete demolition/subsequent new construction
 - ii. Partial demolition greater than 30% of the existing square footage of living area/subsequent new construction
 - iii. Additions greater than 50% of the existing square footage of living area or 1,000 square feet, whichever is less
 - iv. Change in roofline that increase the height of the main ridge or raises a subordinate ridge above it.
- (b) Exempt from review: Everything else is exempt from review.

46C.5 The Review Process

- (a) Per description in Article 46A, Section 5. (d), any person wishing to perform Construction, Alterations, or Demolition that require review shall first file an application with the NCD Commission for a Certificate of Compatibility, Certificate of Hardship, or Certificate of Non-Applicability in such form as the NCD Commission may reasonably determine. Materials required for a building permit and other information as may be reasonably deemed necessary by the NCD Commission to enable it to make a determination on the application may be requested of the applicant. The Commission, at its discretion, may waive certain required submission documents or steps in the review process. The date of the filing of an application shall be the date of the receipt of the application by the NCD Commission.
- (b) The Commission shall hold a Public Hearing within 45 days of the filing of a complete application for a Certificate of Compatibility, a Certificate of Hardship, or a Certificate of Non-Applicability, following the steps outlined in Article 46A, Section 5 (d).
- (c) If the NCD Commission fails to make a determination within 60 days after the close of the public hearing, or after any further time the applicant, in writing, may allow the NCD Commission, a Certificate of Compatibility shall be deemed granted, and the NCD Commission shall issue a Certificate of Compatibility.
- (d) The NCD Commission shall file with the Building Inspector, Zoning Board of Appeals, Planning Board, and Historical Commission a copy of all Certificates of Compatibility, Certificates of Non-Applicability, Certificates of Hardship, and Determinations of Disapproval.

46C.6 Criteria for NCD Commission Determinations

- (a) Specific Criteria for the Standish Road NCD. The following objectives are to be sought in considering applications for Certificates of Compatibility or Certificates of Hardship:
 - i. Conserving the diversity of styles and architectural character of the neighborhood, including the existing scale and massing of abutting Buildings and Structures, as well as others elsewhere in the District.
 - ii. Conserving the District's pattern of wood frame architecture.
 - iii. Allowing for architectural diversity and individualized alterations while preserving the traditional scale of the Buildings and Structures.
 - iv. Preserving the existing grade, location, and setback of Buildings and Structures to maintain the sightlines of the street.

- (b) General Conservation Standards. All applications shall be considered with regard to the potential adverse effects of the Construction of a new Building or Structure, or the Alteration of an existing Building or Structure on the abutters, the immediate streetscape, and the District as a whole. By adverse effect, it is meant that the proposed construction shall not stand out to the detriment of surrounding properties.
- (c) Design Guidelines or Standards. In addition to (a) and (b) above, the Commission shall base its decisions on the following specific factors when considering Applications for Certificates of Compatibility or Certificates of Hardship:
- i. Site layout.
 - ii. Volume and dimensions of the Building or Structure.
 - iii. Scale and massing in relation to the surroundings.
 - iv. Appropriateness of the character of the Structure.
 - v. Open space as well as separation from adjacent properties.

All determinations shall be made looking at only what can be seen from a public way.

46C.7 Judicial Review, Enforcement and Lapse

- (a) The Building Inspector shall be charged with the enforcement of this Bylaw. Anyone found in violation may be fined not more than \$300 (dollars) for each day such violation continues, each day constituting a separate offense.
- (b) Any party dissatisfied with a determination may, within 45 days after the filing of the notice of such determination with the Building Inspector, the Zoning Board of Appeals, the Historical Commission and the Planning Board, file a written request with the NCD Commission for a review by a joint meeting with at least three members from the Planning Board and four members from the Historical Commission. The findings of this joint committee, which may sustain or overrule the prior decision of the NCD Commission, shall be filed with the Building Inspector, the Zoning Board or Appeals, the Historical Commission and the Planning Board within 45 days after the close of the public hearing, and shall be binding on the applicant and the joint committee, unless a further appeal is sought in the Superior Court of Norfolk County.
- (c) Certificates of Compatibility and Certificates of Hardship shall expire eighteen (18) months, plus such time as may be required to pursue or await the determination of a judicial review as provided above, from their date of issuance, if construction has not begun by such date. Notwithstanding the above, the NCD Commission may grant one or more extensions, of up to size (6) months each, if there are unavoidable delays.

46C.8 Existing Bylaws Not Repealed

Nothing contained in this Bylaw shall be construed as repealing or modifying any existing Bylaw or regulation of the Town, but it shall be in addition thereto. If this Bylaw imposes greater restrictions upon the Construction and/or Alteration of Buildings or Structures than other Bylaws or provisions of law, such greater restrictions shall prevail.

Appendix H: Article 46A

ARTICLE 46A **NEIGHBORHOOD CONSERVATION DISTRICTS**

(New Section ATM 2007, Article 58)

46A.1 Purpose

(a) This Bylaw enables the establishment of Neighborhood Conservation Districts in the Town of Wellesley for the following purposes:

- i. to recognize that the Town of Wellesley contains unique and distinctive neighborhoods and areas which contribute significantly to the overall character and identity of the town and which are worthy of preservation and protection. Some of these may be eligible for designation as Historic Districts, while others may lack sufficient historical, architectural or cultural significance at present to qualify. The Town aims to preserve, protect and enhance these neighborhoods through the establishment of Neighborhood Conservation Districts.
- ii. to promote conservation and preservation of existing buildings; to encourage new construction that will complement and be compatible with existing Buildings, Structures, Settings and neighborhood character; and to foster appropriate reuse and upgrading of Buildings and Structures in designated neighborhoods.
- iii. to provide residents and property owners with the opportunity to participate in planning the future of their neighborhoods.
- iv. to promote wider public knowledge about and appreciation for Wellesley's distinctive neighborhoods and their Buildings, Structures and Settings.
- v. and by furthering these purposes, to enhance public welfare by offering current and potential Wellesley residents a variety of neighborhoods from which to choose, thereby making the Town a more attractive and desirable place in which to live.

(b) Under this Bylaw, the Buildings in and characteristics of a neighborhood are not intended to be frozen in time by an NCD designation. Neighborhoods will be able to grow and change to meet the needs of current and future owners, while conserving the neighborhood's distinctive qualities.

- (c) An NCD designation acknowledges a neighborhood and its distinctive architectural, aesthetic, historical, cultural, political, economic or social role in developing the Town of Wellesley's character.

46A.2 Definitions

Alteration -- a change to a Building, Structure or Setting, or part thereof, including construction, demolition, moving, reconstruction, rehabilitation, removal, replication, restoration, or similar activities, and/or significant changes to the site itself.

Area --the total geographic area covered by all of the properties to be included in an NCD.

Building -- a structure built, erected and framed with any combination of materials having a roof and permanent foundation and forming a shelter, open or enclosed, for persons, animals, or property. Gazebos and/or pavilions are included in this definition.

Certificate Of Compatibility -- a form created and issued by the NCD Commission under this Bylaw, which states that a proposed plan for Construction and/or Alterations to a Building, Structure or Setting within an NCD meets the Design Guidelines adopted for that NCD, and which is signed by that NCD Commission's Chair or other officially delegated person responsible for its issuance. A building or demolition permit may be applied for by presenting this Certificate, if the scope or nature of such projects is covered under the Design Guidelines.

Certificate Of Non-Applicability -- a form created and issued by the NCD Commission under this Bylaw, which states that proposed changes to a Building, Structure, or Setting within an NCD are not subject to review under Article 46A, and which is signed by that NCD Commission's Chair or other officially designated person.

Certificate Of Hardship -- a form created and issued by the NCD Commission under this Bylaw, which states that substantial hardship, financial or otherwise, would occur if the application for work which is not otherwise compatible failed to be approved, and that such work would not be a significant detriment to the NCD. It must be signed by that NCD Commission's Chair or other officially designated person. A building permit or demolition permit may be applied for by presenting this Certificate, if the scope or nature of such projects is covered under the Design Guidelines.

Construction -- the erection of a new Building or Structure.

Demolition -- the act of pulling down, destroying, removing or razing a Building and/or Structure or the act of commencing such work toward total or substantial destruction.

Design Guidelines – the official set of guidelines, duly adopted under this Bylaw, to guide the review of proposed Construction and/or Alterations within a particular designated NCD. The Guidelines may be mandatory, advisory or a hybrid of both as chosen for and by a specific NCD.

Exterior Architectural Features – such portions of the exterior of a Building or Structure, including but not limited to the architectural style, general arrangement and Setting thereof; the type and texture of exterior building materials; and the type and style of windows, doors, lights, signs and other appurtenant fixtures.

Guidelines – a written set of Design Guidelines and other regulations which describe the authority vested in the Area’s Neighborhood Conservation Commission

Neighborhood Conservation District Commission - a body established under this Bylaw with the authority to review and approve or disapprove proposed Construction and/or Alterations to a Building, Structure or Setting in the NCD for compliance or compatibility with the Design Guidelines established for that District. A separate Neighborhood District Commission will be established for each designated NCD.

Petition - a document signed by at least 80% of the Property Owners, one signature per property, of a neighborhood stating the intent of the Property Owners to form a Neighborhood Conservation District, and including the supporting materials required to initiate the process by which an NCD is created.

Property Owner - the owner or one of multiple owners or one representative of other forms of legal ownership of a property as listed on the Town of Wellesley’s property tax rolls. Before entering the NCD process, multiple owners must select one representative and provide the Historical Commission with written, signed confirmation of that selection.

Report - the document prepared by a Study Committee recommending favorable or unfavorable action on a Petition to create an NCD.

Setting - the characteristics of the site of a Building, Structure or undeveloped property, including, but not limited to, placement and orientation of the Building or Structure, and vegetation and landscaping.

Structure - a functional construction or object other than a Building, including but not limited to walls, fences, walks, driveways, bridges, paving, street furniture, lights and curbing.

Study Committee - the group of five (5) people appointed to review, recommend or reject a Petition to create an NCD.

Temporary Structures – constructions or other objects of any combination of

materials, including, but not limited to, tents and signs, which have no permanent foundation, and are intended to remain on a property for a brief period of time,.

46A.3 Designation of Neighborhood Conservation Districts (NCD)

(a) To be considered for designation as an NCD, a neighborhood must satisfy the following criteria:

- i. The Area as a whole constitutes a recognizable neighborhood which has a distinctive character, and,
- ii. the Area contains Buildings and/or Structures and/or Settings that are significant to the architectural, aesthetic, cultural, political, economic or social history of Wellesley; or
- iii. the Area has generally cohesive features, such as the scale, size, type of construction, materials or style of its Buildings and Structures, and/or its land use patterns and landscaping.

(b) The designation of an NCD may be initiated by neighborhood Property Owners, the Wellesley Historical Commission, the Planning Board, or the Board of Selectmen. A Petition requesting designation as an NCD shall be submitted to the Historical Commission, containing signatures of at least 80% of the Property Owners electing to be included in the proposed NCD Area, one signature per property, which petition shall also include,

- i. a general statement of the historical, architectural or other qualities of the Area which make it appropriate for NCD designation,
- ii. a preliminary map of the Area, and
- iii. a general outline of the scope of the Guidelines and review authority that would be proposed for the NCD

(c) Following receipt of a Petition for NCD designation, the Historical Commission shall appoint a Study Committee to investigate and prepare a Report on the appropriateness of such a designation for the Area. The Study Committee shall consist of five (5) members, of which one (1) shall be a designee of the Planning Board; one (1) shall be a designee of the Historical Commission, and three (3) shall be residents of the Area proposed for NCD designation who shall be appointed by the Historical Commission. When reasonably possible, the Study Committee should include an architect, landscape architect, or historic preservationist. Notice of a Study Committee's appointment shall be conveyed to all Property Owners in the Area and all property owners abutting the Area within 300 feet, at the address for such owners as listed in the real

estate tax list of the Board of Assessors, and such information shall also be made available, to the extent reasonable, to prospective buyers through distribution to realtors with offices in Wellesley.

- (d) The Study Committee, working with residents of the Area, shall evaluate the appropriateness of an NCD designation for the Area. If an NCD designation is not deemed appropriate, the Study Committee, within one (1) year of its appointment, shall prepare and file with the Historical Commission a written Report explaining why it reached a negative conclusion. If the Study Committee determines that an NCD designation is appropriate, it shall, within one (1) year of its appointment, prepare and file with the Historical Commission a written Report, to include
 - i. an overview of the significant historical, architectural or other relevant qualities of the Area, and
 - ii. a map of the geographic boundaries of the Area, and
 - iii. Guidelines for the Area, including Design Guidelines and a general statement describing the nature of the authority to be vested in the Area's Neighborhood Conservation Commission.
- (e) A public hearing shall be convened by the Planning Board and conducted jointly by the Historical Commission and the Planning Board to discuss the Study Committee's findings within 60 days after the filing of its completed Report. Public notice shall be given by publication in a newspaper of general circulation in the Town once in each of two (2) successive weeks, the first publication to be not less than fourteen (14) days before the day of the hearing; and by posting such notice in a conspicuous place in the Town Hall for a period of not less than fourteen (14) days before the day of such hearing, and by conveying said notice, together with copies of the Report, to all Property Owners in the Area and by conveying said notice, with notification that the Report is available in the Planning Office, to property owners abutting the Area within 300 feet, at the address for such owners as listed in the real estate tax list of the Board of Assessors.
- (f) Following the close of the public hearing, the Historical Commission and the Planning Board may, by majority vote at a joint meeting, recommend the Area for designation as an NCD. If the Historical Commission and Planning Board, acting jointly, do not vote to recommend the Area for NCD designation, or if, at or prior to the public hearing, more than 20% of the Property Owners in the proposed NCD object in writing to the proposed designation, then the proposed designation shall be deemed rejected. Property owners numbering below this 20% who do not wish to be part of the proposed NCD shall, at their request at, or prior to this hearing, be excluded from the NCD. If the NCD is favorably recommended by the Historical Commission and the Planning

Board, acting jointly, the designation of the NCD shall be brought to Town Meeting for approval by majority vote.

- (g) Each NCD, as adopted by Town Meeting, shall be listed by its name hereunder in Article 46A with its date of acceptance. Each NCD, as adopted by Town Meeting, shall have its own Guidelines, which are appropriate for the conservation of the particular qualities of that NCD, and shall
 - i. be based, to the extent appropriate, on the Guidelines proposed in the Petition, and
 - ii. establish the nature and scope of review authority granted the corresponding NCD Commission under this Bylaw for activities within the NCD, including, but not limited to, selecting categories and types of changes exempt from and/or subject to review.
- (h) The establishment of an NCD shall not be construed to prevent the Construction or Alteration of a Building or Structure located in the NCD under a building permit, zoning permit or other municipal approval duly issued prior to the date of that NCD's establishment by the Town Meeting.
- (i) Amendments to the geographic boundaries, including additions to or withdrawals from the NCD; changes in the Guidelines, including governance and procedural changes; or dissolution of the NCD, may be proposed by 10% of the Property Owners in the NCD, an NCD Commission, the Historical Commission, the Planning Board or the Board of Selectmen. Proposals to amend or dissolve an NCD will follow the procedures described in 3.(c) - (f), beginning with the appointment of a study Committee, except, if it deems the changes minor, the Historical Commission may, by majority vote, waive appointment of a study committee. A decision to accept or reject the proposed changes will be made jointly by the Historic Commission and Planning Board following a public hearing. Proposed NCD amendments, and/or a proposal for dissolution of an NCD, must be brought to Town Meeting for approval by majority vote.

46A.4 Neighborhood Conservation District Commissions

- (a) Following Town Meeting acceptance of an NCD designation, a Neighborhood Conservation District Commission shall be appointed under Article 46A and shall consist of five (5) members and at least two (2) alternates. One (1) member and one (1) alternate shall be designees of the Historical Commission and one (1) member shall be a designee of the Planning Board. Three (3) members and one alternate shall be residents of the NCD, to be appointed by the Historical Commission. When reasonably possible, the NCD Commission shall include an architect, architectural preservationist, or landscape architect.

- (b) Members and alternates of the NCD Commission designated by the Historical Commission and/or the Planning Board shall initially be appointed for staggered terms, and to two (2) year terms thereafter. Members who are residents of the NCD shall initially be appointed to staggered terms, and to three-year terms thereafter. Each NCD Commission member or alternate may continue to serve in office after the expiration of his or her term until a successor is duly appointed.

46A.5 Review of Construction and/or Alterations

- (a) The Design Guidelines for each NCD shall establish the extent of review required for Construction and/or Alterations proposed within that NCD.
- (b) Except as otherwise provided in this Bylaw or in the Guidelines of an NCD, no Building and/or Structure, or their Settings, within a Neighborhood Conservation District shall be Constructed, Demolished or Altered in any way unless the NCD Commission shall first have issued a Certificate of Compatibility, a Certificate of Non-Applicability or a Certificate of Hardship.
- (c) Exemptions from Review
 - i. None of the following categories or types of Construction and/or Alterations shall require review by the NCD Commission
 - 1) Temporary structures
 - 2) Interior alterations
 - 3) Storm windows, storm doors, and screens
 - 4) Colors
 - 5) Accessory structures of less than 120 square feet of floor area and less than 15 feet in height
 - 6) Exterior Alterations and Exterior Architectural Features not visible from a public way or other areas open to public access, including but not limited to, a public street, public way, public park or public body of water.
 - 7) The ordinary maintenance, repair or replacement in kind of Exterior Architectural Features and/or changes made to meet requirements deemed necessary by the Building Inspector to be necessary for public safety because of an unsafe or dangerous

condition.

- ii. In addition, the Design Guidelines for an NCD may provide for other categories or types of Construction and/or Alterations within that NCD which shall not require review by its NCD Commission.
- iii. Although not a condition for obtaining a building permit, any Property Owner may request, and the NCD Commission shall issue, a Certificate of Non-Applicability for any Construction and/or Alterations that are exempt from the review of the NCD Commission pursuant to the foregoing.

(d) Review

- i. All Construction and/or Alterations that are not exempt from review shall be subject to review by the NCD Commission.
- ii. Any person wishing to perform Construction and/or Alterations that require review shall first file an application with the NCD Commission for a Certificate of Compatibility in such form as the NCD Commission may reasonably determine. In addition, plans, elevations, specifications, photographs, description of materials and other information as may be reasonably deemed necessary by the NCD Commission to enable it to make a determination on the application may be requested of the applicant. The date of the filing of an application shall be the date of the receipt of the application by the NCD Commission
- iii. Following submission of an application for a Certificate of Compatibility deemed complete by the NCD Commission, the Commission shall determine within fourteen (14) days whether the application involves features that are subject to approval by the Commission. If it determines that the application is subject to review, the NCD Commission shall then hold a public hearing within 45 days of the filing date. Public notice of the time, place and purposes of the hearing shall be given at least fourteen (14) days before the hearing date by publication in a newspaper of general circulation in the Town once in each of two (2) successive weeks, the first publication to be not less than fourteen (14) days before the day of the hearing, and by conveying said notice to all Property Owners in the NCD and owners of properties abutting the property subject to the hearing, at the address for such owners as listed in the real estate tax list of the Board of Assessors.
- iv. Following the close of the public hearing, the NCD Commission shall determine whether the proposed Construction and/or Alterations are

compatible with the Design Guidelines. If the NCD Commission decides that the proposed Construction and/or Alterations are compatible, it shall issue a Certificate of Compatibility. If the NCD Commission decides that the Construction and/or Alterations are not compatible, the NCD Commission shall provide the applicant with a written statement of the reasons for its disapproval. A Certificate of Hardship~may be issued if the NCD Commission determines that failure to issue a Certificate of Compatibility would~result in substantial hardship, financial or otherwise,~and that the proposed alteration, construction~or demolition would not be a significant detriment to the NCD.

- v. If the NCD Commission fails to make a determination within 60 days after the close of the public hearing, or such further time as the applicant may allow in writing, the Certificate of Compatibility shall be deemed granted, and the NCD Commission shall issue a Certificate of Compatibility.
- vi. The NCD Commission shall file with the Building Inspector, Zoning Board of Appeals, Planning Board, and Historical Commission a copy of all Certificates of Compatibility, Certificates of Non-Applicability, Certificates of Hardship and determinations of disapproval.
- vii. The Design Guidelines for the NCD may provide that certain categories or types of Construction and/or Alterations shall be subject to advisory, non-binding review by the NCD Commission, or an owner may request such non-binding review of otherwise exempt Construction and/or Alterations, in which event the review procedures shall be followed, but without the NCD Commission voting or rendering a binding decision.
- viii. The NCD Commission shall meet with the Property Owners in the NCD for the purpose of determining whether or not the District's Guidelines are still appropriate. The first of these meeting shall occur two (2) years from the date of the District's designation as an NCD, and shall occur at no less than five (5) year intervals thereafter, unless this interval is changed, by a majority vote of the Property Owners after the first two (2) years. Recommendations for amendments to the Guidelines must be approved by a majority of the District's Property Owners and the amendment procedures described in 3.(i) must be followed.

46A.6 Decision Criteria

- (a) In passing upon matters before it, the NCD Commission may consider, among

other things:

- i. the historical and architectural value and significance of the particular Buildings, Structures and/or Settings being affected, as well as the effects of same on the NCD;
- ii. the suitability of the Construction's, Alterations' and/or Setting's general design, arrangement and composition of its elements; the scale and massing of the proposed changes relative to nearby Buildings and Structures; and the textures and materials of the features involved in the proposed Construction and/or Alterations, as well as the effects of same on the NCD;
- iii. Setting and landscape characteristics, including their relationship to the street, topography and existing vegetation, including mature trees, of the particular site involved in the Construction and/or Alterations, as well as the effects of same on the NCD;
- iv. for demolitions, the Building, Structure and/or Setting proposed to replace that/those existing; and
- v. alterations necessary for handicap accessibility; and
- vi. all such other standards, factors and matters contained in the Design Guidelines for the NCD.

(b) In making its determination, the NCD Commission shall, among other things,

- i. allow for appropriate architectural diversity and individualized Construction and/or Alterations while respecting the characteristics of the neighborhood, and
- ii. encourage the compatible updating, expansion and renovation of Buildings and Structures in the neighborhood consistent with the foregoing.

46A.7 Judicial Review, Enforcements and Lapse

- (a) The Building Inspector shall be charged with the enforcement of this Bylaw. Anyone found in violation may be fined not more than \$300 dollars for each day such violation continues, each day constituting a separate offense.
- (b) Any party dissatisfied with a determination may, within 45 days after the filing of the notice of such determination with the Building Inspector, the Zoning Board of Appeals, The Historical Commission and the Planning Board,

file a written request with the NCD Commission for a review by a joint meeting with at least three members each of the Historical Commission and Planning Board. The findings of this joint committee, which may sustain or overrule the prior decision of the NCD Commission, shall be filed with the Building Inspector, the Zoning Board of Appeals, the Historical Commission and the Planning Board within 45 days after the close of the public hearing, and shall be binding on the applicant and the joint committee, unless a further appeal is sought in the Superior Court of Norfolk County.

- (c) Certificates of Compatibility and Certificates of Hardship shall expire eighteen (18) months, plus such time as may be required to pursue or await the determination of a judicial review as provided above, from their date of issuance, if construction has not begun by such date. Notwithstanding the above, the NCD Commission may grant one or more extensions, of up to six (6) months each, if there are unavoidable delays.

46A.8 Existing Bylaws Not Repealed

- (a) Nothing contained in this bylaw shall be construed as repealing or modifying any existing bylaw or regulation of the Town, but it shall be in addition thereto. If this bylaw imposes greater restrictions upon the Construction and/or Alteration, of Buildings, Structures or Settings than other bylaws or provisions of law, such greater restrictions shall prevail.

Appendix I: References

- Massachusetts Historical Commission
- Multiple Listing Service (MLS)
- Norfolk County Registry of Deeds
- Town of Wellesley Assessor's website
- Town of Wellesley Building Department
- Town of Wellesley Bylaws & Zoning Bylaws
- Town of Wellesley Comprehensive Plan: 2007-2017
- Town of Wellesley GIS map
- Wellesley Historical Commission
- Alternative Forms of Historic Designation: A Study of Neighborhood Conservation Districts in the United States. Center for Urban and Regional Affairs, University of Minnesota. 2011.
- Benefits of Residential Historic District Designation for Property Owners. Department of Urban Planning and Design, City of Tucson, Arizona. 2007.
- Connecticut Local Historic Districts and Property Values, State of Connecticut Department of Economic & Community Development and the Connecticut Trust for Historic Preservation. 2011.
- Conservation Status and Residential Transaction Prices: Initial Evidence from Dallas, Texas, Journal of Real Estate Research. 2008.
- Economic Impacts of Historic Preservation in Oklahoma, Center for Urban Policy Research, Rutgers University. 2008.
- Historic Preservation in Kentucky, University of Louisville. 2008.
- Houses for Good Living, Royal Barry Wills. 1946
- Investing in Michigan's Future: The Economics Benefits of Historic Preservation, Michigan Historic Preservation Network. 2002.
- Life Magazine. August 26, 1946.
- Profits Through Preservation: The Economic Impact of Historic Preservation in Utah, Utah Heritage Foundation. 2014.
- Protecting Older Neighborhoods Through Conservation District Programs, Preservation Law Reporter. 2003.

- The Economic Impact of Historic Preservation in Philadelphia, Preservation Alliance for Greater Philadelphia. 2010.
- The Economic Powere of Heritage in Place: How Historic Preservation is Building a Sustainable Future in Colorado, Clarion Associates of Colorado, LLC. 2011.
- The (Economic) Value of National Register Listing, Place Economics (a real estate and economic development firm in Washington, D.C.). 2002.
- The Impact of Historic Districts on Residential Property Values. New York City Independent Budget Office. September 2003.